THE EVENING NEWS.

GEORGE Q. CANNON,
EDITOR AND PUBLISHER.

Wednesday, - - - March, 1, 1871.

THE Chief Justice of the Territory of Utah, Hon. J. B. McKean, may be well versed in the statutory laws of this, and in the common law of this and other countries; and in being appointed to the position he now occupies, Mr. McKean had an opportunity afforded him for acquiring a reputation, which he seems determined to make the most of.

We have, on former occasions, called the attention of our readers to some of the rulings of this gentleman, delivered in the Third Judicial District Court in this city. We wish to do so again now. Some months ago he delivered, what we and many others regarded as a very peculiar legal decision in the case of two aliens named, respectively, Sandberg and Horsley, who had applied for naturalization; the right to which he, in that ruling, denied to both, simply because they differed with him in their religious belief.

Three other aliens, named, respectively, Richard and Ralph Douglas and William Kay, made application, during the January, '71, term of the Court, to be admitted to citizenship; their applications were received, and held under advisement by the Court until a few days ago, when an adverse decision was rendered, the right being denied because the men were polygamists.

This opinion is as peculiar as some of the others to which we have referred; in fact it reads more like a polemical essay than a legal opinion, the discourse of a priest rather than the ruling of a judge, being merely an attempt to show that the marrying of more wives than one was condemned by the civil law of the ancient Romans, and of England, and of the northern nations of Europe; and for this reason, seeing that the Roman civil law prevails in Mexico, to which this Territory belonged when settled by the "Mormons;" and that many who have settled here are from the nations of Europe referred to above, therefore it was a crime for them to practice plural marriage, whether special legal enactments had been provided against it or not. But what all this has to do with naturalization we cannot comprehend. In the whole of the ruling we fail to see, and we think all impartial readers will be in the same fix, to find a shadow of an argument or constitutional reason why the application in the cases of the Messrs. Douglas and Kay should be denied. If denunciation, and the platitudes used on most occasions when animalverting upon the "Mormons" by those opposed to them, about concubinage, illegitimacy, morality, and obedience to law, etc., constituted argument, then this ruling of Judge McKean would be irresistible; but this sophistry is too flimsy to deceive any but those who see through anti-Mormon spectacles. If his Honor were the stickler for morality his words seem to imply, would he not be as conscientious in witholding the right denied in the instance on which his ruling was given, to men,—and they are abundant in every section of the country, who will seduce women and leave children utterly unprovided for, as soon as he would to men who marry women and provide for their children? But Judge McKean would never think of this in the case of the former; and we cannot think that his moral scruples, or the impartially construed letter of the law influenced him to withhold it in the latter case, but rather that he is the willing tool of his employers, and is doing his prettiest to carry out the behests and machinations of the "ring."

But a deprivation of the right of citizenship on account of plural marriage, if such a penalty were Constitutional, would, in these cases, be *an ex post facto* infliction thereof; for it was shown in evidence that they had taken no women to wife since the passage of the anti-polygamy law in 1862. And yet the gentleman "prates" about devotion to the Constitution of the U. S. Is not this latter quality more necessary in a high judicial functionary, versed in all the crooks and turns of the law, and sworn to maintain and defend the Constitution than, in the case of men not thus learned, or under such strict requirements? We fancy so.

But without animadverting further on the ruling of his Honor Judge McKean, what does his decision amount to? Nothing more nor less than the denial of the right of American citizenship to all in this Territory of foreign birth, who are not now naturalized, and to all who may come hereafter; and this whether they may or may not practice plural marriage. And while such persons will be required to bear, in common with all citizens, a portion of the expense of the national, state and municipal governments, they will be shut out from all the privileges and immunities of citizenship merely through a difference in religious belief, which is a flagrant violation of the Constitution, and a thorough burlesque on republicanism and republican institutions.

We merely publish this ruling as a matter of history. Judge McKean exercises a little brief authority here now. We have witnessed the entrance and departure of many such as he, and in due time he will go the way they have gone. It is sometimes necessary to refresh our memory as to what Judges have done here, by looking through the columns of the DESERET NEWS. This ruling, if preserved in print, will help us to remember the present Chief-Justice, and in days to come will remind us that

> "Power is a curse when in a tyrant's hands,
> But in a blest tyrant's—treble curse."

THE completion of the Railroad across the continent has brought Utah into comparatively close proximity to the East and West, and, as a consequence, we are having a great influx of agents of various branches of business from other sections of the country, who are desirous of introducing their specialities to the notice of the people. It is very probable that every invention or institution that is suited to this latitude and to the condition of the people will, sooner or later, have its representative here, urging its advantages upon our citizens. Already we can gain an idea of how it will likely be in other branches of business by the number of agents of Life Insurance Companies who have visited our city, and many of whom are now diligently engaged in setting forth the benefits which follow the insuring of life in a good Company. This business is being vigorously pushed forward in other sections, and, from present indications, Utah is not to be neglected. Every effort will be made here to induce the men of the Territory to invest their means in Life Policies, in Ordinary, Ten-payment and Single Premium Endowment Policies, so as to make provisions for their families in case of their demise.

Probably there is no field in the United States where Life Insurance Agents would be better pleased to secure policies than in Utah; because here the risks are greatly lessened through the temperate habits of the people. A virtuous, sober people have many chances for life over those of intemperate, licentious habits; and it is among the former class that Life Insurance Companies prefer to have their policies taken. When such companies lose money it is principally due to their officers and agents not exercising the necessary care to prevent dissipated and profligate men from obtaining policies. But there is no danger of any company, which secures the patronage of the people of Utah, ever losing money through its policies granted here. Among the Latter-day Saints the use of all stimulants is discountenanced and they are constantly taught the necessity of paying attention to diet and of taking care of their bodies. The effect upon longevity cannot be otherwise than good. If, therefore, a number of our citizens could be induced to take out policies in Life Insurance Companies, they would counterbalance an equal number of poor policies elsewhere and compensate for losses in other directions. Is it wise for them to take out policies in these companies? We think not. We think it would be far better for us to organize a Life Insurance Company of our own, upon some safe and comprehensive plan, and secure to ourselves whatever advantages we possess of good habits and consequent low risks. It has been said that our population is not sufficiently numerous to organize and sustain a Life Insurance Company among ourselves on the principle that other companies of this kind do business. This may be so, though we are not of that opinion. But even if so, there are plans which can be adapted that would confer many advantages of life insurance, and still not be very expensive. We have heard of companies being formed which charge five dollars as an entrance fee. The fund thus formed is put out to interest, and from it means is derived to pay a manager. In case of the death of a member of the company, each surviving member pays one dollar, which when collected, if the company be of any size, forms a respectable sum to be given to the family of the deceased. This is one plan that might be adopted. But there are others which might be devised.

Money is worth too much, and draws too high a rate of interest in this Territory to be invested in Eastern Companies. A judicious man can do better with his money. Suppose, for example, that a man of forty years of age wishes to insure his life for ten thousand dollars. He will have to pay about $310 annually. Now, instead of paying this to an Eastern Life Insurance Company, out of which and other payments like it, they derive their salaries, rent, cost of agencies and many other expenses, besides the dividends of the stockholders, let him invest that amount annually in Zion's Co-operative Mercantile Institution, or in bonds of the Utah Central Railroad, or in a sound, well-organized Co-operative Herd, where it will bring him the interest derivable from these institutions, and then compare the amount that will have accumulated with that which he will be entitled to in a Life Insurance Company. In seventeen years, or at fifty-seven years of age, if he should then die, he would have accumulated, if he drew seven and a half per cent. and added interest to interest, $10,415.63—a little more than the amount which his family would be paid by a sound Life Insurance Company in the event of his decease. But suppose he should live to be seventy years of age, which is the age we believe, that Life Insurance Companies base their calculations upon, the accumulation would be over $34,124.23. This would allow a very large margin for cash dividends, such as are made by Life Insurance Companies. We have reckoned seven and a half per cent, which is the interest paid in gold, on money invested in Utah Central Bonds; while our calculation puts the interest down in greenbacks. Besides this yearly interest, which the Utah Central pays on its bonds, there is a payment of $200 made over and above the cost of the bond at the expiration of twenty years. That is, a $1,000 bond is bought for $800. These bonds draw $60 per annum, in gold, or seven and a half per cent. on the $800 invested. They are redeemable at the expiration of twenty years from the date of issue, when the holder will receive, instead of the original $800 paid for the bond, the face of the bond—$1,000. But money invested in Zion's Co-operative Mercantile Institution has yielded a larger interest even than this, and Co-operative Stock Herds will also, if properly managed, yield handsome returns.

We have based our statement upon a life policy of $10,000; but in proportion to the amount for which a life policy is taken the same calculations and reasoning will apply. Another advantage in investing in home institutions is that if any of them should become uncertain in reputation, a person could place money in another; but if an eastern life insurance company loses in stability, he could not very well help himself by resorting to another.

"Papa, ought a teacher flog me for what I do not do?" "Certainly not, my boy," replied the father. "Well," said the little fellow, "he did to-day, when I didn't do my sum."

Mrs. Priscilla Languish, a New Jersey woman, claims to be the inventor of the "gentleman's pocket spittoon, neat, handy, not fragile, secure from leakage and ornamental, for use in cars and churches."

[SPECIAL TO THE DESERET NEWS.]

By Telegraph.

Per WESTERN UNION Telegraph Line

AFTERNOON DISPATCHES!

All Parts of Germany will be Represented in the Triumphal March into Berlin!

Ratification of the Treaty Certain!

Consuls Quarrel in Jamaica!

Bills Signed by the President!

Doings in Congress!

Fires, etc., etc.,

CONGRESSIONAL.

SENATE.

In the Senate the liability of companies to pay over interest as fast as it accrues, involved in the controversy between the Government and railroad companies, was debated at length.

Scott moved, as an amendment to the appropriation bill, an appropriation of $20,000 for homesteads for soldiers' and sailors' orphans, at Gettysburg, Pennsylvania, which was not agreed to.

At five p.m. the Senate took a recess until evening.

In the evening session the army appropriation bill was proceeded with.

McDonald offered an amendment, extending the jurisdiction of the Court of Claims to all the claims of legal citizens arising out of the late insurrectionary States.

Sherman was surprised that such a measure should be seriously urged, and said it would deplete the Treasury by saddling on the country all the damages done by the Union army during the war.

Sawyer favored the bill, and Edmunds, Conkling and Wilson spoke in opposition, and motions to table the amendment and bill, in order to proceed with other business, were lost. It was finally arranged that a vote be taken on McDonald's amendment to-morrow, at noon. Adjourned.

HOUSE.

Logan moved that the rules be suspended and the House agree to the Southern Pacific railroad bill.

Randall preferred that the House should insist on an amendment to the bill, by which the Senate land grant of twenty-six million acres was reduced to thirteen millions.

Logan, too, much preferred the House bill to the Senate bill, and had so voted, but it was certainly an act of courtesy on the part of the House to agree to the conference committee asked by the Senate.

After some discussion, between Randall and Logan a vote was taken and the rules were suspended, and a conference committee ordered.

Ingersoll desired to make a statement, and followed by a motion to suspend the rules, to pass a bill to promote the construction of the Cincinnati and Southern railroads.

Winchester objected.

Ingersoll then made his motion, which was agreed to and the bill passed, yeas 131, nays 42.

Sargent offered the following resolution: "That the House proceed to the business on the Speaker's table, and the delegates be confined to speeches of five minutes, and that if at the end of the second speech, the previous question be not seconded, the pending bill be laid aside."

Kelly offered a substitute, which Sargent accepted and the resolution was then rejected, with only forty-eight votes in its favor.

Butler, (Mass.) from the reconstruction committee, reported the bill to protect the legal and peaceable citizens of the United States.

The committee of conference, which was ordered on the postal appropriation bill, at the suggestion of the Speaker of the House, agreed to go to the Speaker's table and go through with the bills on it, passing those to which there was no objection, and allowing motions to suspend the rules for the passage of such as are objected to. Unanimous consent being given, the Speaker announced he would commence at twelve o'clock, to-morrow, and that the calendar should be first gone through with so as to pass all the bills not objected to.

Logan, from the committee of conference on the naval appropriation bill reported that the committee had been unable to agree and moved the appointment of another committee, which was agreed to.

The Senate amendment to the House bill, allowing the issue of duplicate registered bonds in cases where the original was believed to be lost or destroyed, which was concurred in, and the bill passed.

On motion of Axtell, the Senate bill, passed in April, 1870, for giving effect to the various grants of public lands to the State of Nevada and allowing the selection of school lands in California, was passed. Adjourned.

NEW YORK.

Testimony in the New Hamburg disaster case—Irish exile reception—Proceedings stayed in Ruloff's case—Disastrous fire.

ALBANY.—The Legislative joint committee, appointed to investigate the New Hamburg railway disaster, commenced taking testimony to-day. It differed in no important respects from that taken before the coroner's jury.

NEW YORK.—The Irish exiles received an address from the Irish Americans of Boston, yesterday, accompanied with a gift which cost fifteen hundred dollars.

The Fenian brotherhood have issued a circular, calling a meeting during the ensuing month for the purpose of electing a successor to John Savage, the late President of the brotherhood.

It is probable that a writ will be issued, granting a stay of proceedings in the Ruloff case. The Judges are in session this evening, at the residence of Judge Rappals, one of the judges of the Court of Appeals, listening to the argument of Ruloff's counsel.

A fire, to-day, destroyed the carriage factory of Miner & Devens, occupying a block of four buildings, on East Thirteenth Street, and the three adjoining buildings, occupied by Michael Curley, carriage maker. The total loss is $60,000; mostly insured. Nine firemen were injured by the explosion and the falling walls.

LOUISIANA.

NEW ORLEANS.—A half square, between Frenchman, Roman, Union and Danbigny Streets, was burned last night. The loss is $85,000; mostly insured.

WASHINGTON.

Bills approved and signed.

WASHINGTON.—The President, to-day, approved and signed the act to enforce the rights of citizens of the United States to vote in the several States of the Union and for other purposes; also the joint resolution to extend the benefits of the act, establishing a national asylum for disabled volunteer soldiers, to the disabled soldiers and sailors of the war of 1812 and of the Mexican war.

The Senate, in executive session, to-day, confirmed the nomination of Henry D. Cooke, of Georgetown, D. C., to be Governor of the District of Columbia.

MASSACHUSETTS.

SPRINGFIELD, 28.—The satinet mill, at Monson, Mass., owned by Holmes & Son, was burned to-day. Loss, $25,000.

CALIFORNIA.

Australian steamship line—Anniversary celebration—Plans for drilling a tunnel through the Sierra Nevada.

SAN FRANCISCO, 28.—It is now reported, as certain, that Webb's steamship line will be put on to Australia and New Zealand, with or without a subsidy, on the 31st of March.

Frederick, who shot Z. Read, at Oakland, on account of a land difficulty, was admitted to bail in $30,000.

The anniversary of the arrival of the steamship *California*, twenty years since, is being celebrated by her passengers this evening. She still runs on the same coast.

Col. Von Schmidt is engaged in perfecting plans for machinery, by which he expects to drill a tunnel of five miles through the Sierra Nevada, at a rate of a mile in ninety days, and bring the waters of Lake Bigler to Sacramento and San Francisco. He will commence work this summer.

FOREIGN NEWS.

PRUSSIA.

All Germany to be Represented in the entry into Berlin.

BERLIN, 28.—The Prussian *Cross Gazette* states that orders have been given to the municipal authorities of Berlin to prepare quarters for the Saxon, Baden, Bavarian and Wurtemburg troops, who will pass through Berlin with the other returning troops. The orders say that it is the wish of the Emperor that all parts of Germany be represented on the occasion of his entry into the Capital.

WEST INDIES.

Prussian and French consuls quarrel

KINGSTON, 28.—Much excitement was created here to-day, caused by the Prussian consul remarking in the presence of the French consul that he was not the Prussian consul, but was the consul for Europe. An altercation ensued, but friends interfered. The sympathies of the people are with the French consul.

FRANCE.

Dreadful state of affairs in Paris—Ratification of the Treaty certain.

PARIS, 28.—Terrible scenes are now enacting. Vast crowds fill the streets and are committing many acts of violence. The people made an attack on some of the policemen, with intent to murder them, one was beaten to death, another hanged and two were drowned. Crowds surround the statue of Strasbourg, which an orator proposes to remove, lest it be desecrated by the German savages. The excitement is on the increase and the national guards at Bellville and Mont-martre have resolved to remain under arms. Regiments have been hooted at and pelted by the people. A great body of the national guards, fully armed, has marched to the Champs Elysees, where they are now encamped, swearing to attack the Germans. The heads of Thiers and Favre are demanded, and the gardens of the Tuilleries have been occupied by the infanty of the line. Accounts from Bellville and Mont Martre represent that horrible scenes are occurring in those sections.

BORDEAUX, 20.—The Republican delegates have resolved to vote against the treaty; but its ratification is certain.

TERRITORY OF UTAH. IN THE THIRD DISTRICT COURT.

In the matter of the applications of Richard Douglas, Ralph Douglas, and William Kay, for naturalization.	January Term '71, Salt Lake City.

OPINION OF CHIEF JUSTICE JAMES B. MCKEAN, ON NATURALIZATION.

These applicants for naturalization being sworn on their *voir dire*, each admitted that he has two wives, and children by each wife; and each alleged that he was married to the second woman prior to the act of Congress, of July 1, A. D. 1862, which denounces severe penalties against those who shall be convicted of bigamy or polygamy. On being further interrogated by the Court, they all admitted that they are now cohabiting with their second wives, and two of them urged as an excuse for doing so, that their first wives are now old and can no longer bear children. The applicants are Englishmen.

MCKEAN, C. J. At the last September Term of this court, Sandberg and Horsley, neither of whom had actually committed bigamy or polygamy, applied for naturalization. The former said "that he regarded it as in accordance with the laws of God for a man to have more than one wife at the same time; and that if the laws of the country forbade it, he regarded it as his duty to obey the laws of God rather than the laws of man." Horsley refused to answer, and by his manner as well as by his words, said, in substance, that that was his own business and not the business of the court." Their applications were rejected. The applications now at bar present other questions than those then considered. These three men seem to think, that because they took plural wives prior to the act of Congress of July 1, 1862, they violated no law by doing so. Let us first consider this question, and afterwards turn our attention to the fact that they are still cohabiting with their so called second wives.

The government of the United States acquired the Territory of Utah from the Mexican Republic, whether by the Treaty of Guadalupe Hidalgo in A. D. 1848, or by previous conquest, or by both, is, for our present purpose, immaterial. And it is a familiar principle of International law that "the laws, whether in writing, or evidenced by the usage and customs of the conquered or ceded country, continue in force, until altered by the new sovereign. (Johnson's Lessee *vs.* McIntosh, 8 Wheat, 589; Soulard *vs.* United States, 4 Peters, 512; United States *vs.* Arrendando, 6 Id, 712; United States *vs.* Perchman, 7 Id, 86; United States *vs.* Clarke, 8 Id, 444; Delmonte *vs.* United States, 9 Id, 133; Mitchel *vs.* United States, 9 Id, 734; United States *vs.* Fernandez, 10 Id, 303; Smith *vs* United States, 10 Id, 330; 15 Cal. 226; 18 Cal. 11; 20 Cal 387; 24 Cal. 644, 1 Op. Atty.-Gen., 27; Wheaton's Law of Nat 327.)

The Court is bound to take judicial notice of the laws in force in this Territory, at the time of its cession to the United States, not inconsistent with the public policy of the United States, and not since abrogated by the new sovereign. "Those laws are not regarded as foreign so as to require proof of their existence." (Wells *vs.* Stout, 9 Cal. 494; The People *vs.* Folsom, 5 Cal. 380; Fremont *vs.* The United States, 17 How. 542.) It is well known that the principles of the Roman Civil Law prevail in Mexico. But it may be said, as some have asserted, that the pioneers of the present inhabitants of this Territory found Utah unoccupied by civilized men, and that, therefore, no system of laws prevailed here when those pioneers took possession of the Territory, and raised the flag of the United States. Without, at present, either conceding or controverting this position, let us enquire what, in case it were true, was the status of the settlers before Congress had legislated for the Territory.

"In the absence of proof to the contrary, the common law is presumed to exist in those States of the Union which were originally colonies of England, or were carved out of such colonies." "The same presumption prevails as to the existence of the common-law in those States which have been established in territory acquired since the Revolution, where such territory was not, at the time of its acquisition, occupied by an organized and civilized community, but where the population, upon the establishment of government, was formed by emigration from the original States." "As in British colonies, established in uncultivated regions by emigration from the parent country, the subjects are considered as carrying with them the common law, so far as it is applicable to their new situation; so, when American citizens emigrate into territory which is unoccupied by civilized men, and commence the formation of a new government, they are equally considered as carrying with them the same law, in its modified and improved condition under the influence of modern civilization and republican principles." (Norris *vs.* Harris, 15 Cal. 226.) "It is the common jurisprudence of the United States, and was brought with them as colonists from England." (1 Kent's Com 342-3.) "Our ancestors brought with them the general principles of the common law of England, and claimed it as their birth-right." "It ought to be assumed by this court as a part of the jurisprudence of the State." (Opinion of the Court by Story, J. in Van Ness *vs.* Pacard, 2 Peters 144.)

The Federal Courts will administer the common law, the civil law, or whatever system may prevail in a particular State. (The People *vs.* Folsom, 5 Cal. 374; Wheaton *vs.* Peters, 8 Peters 591; Kendall *vs.* United States, 12 Id. 524; Pennsylvania *vs.* Wheeling Bridge Co., 13 How. 518, 564.)

Common law is that general body of law, those general principles and those general usages which are to be found, not in the legislative acts of any particular State, but that generally recognized and long established law which forms the substratum of the laws of every State." (Forbes *vs.* Scannell, 13, Cal. 285; Van Varen *vs.* Johnson, 15, Cal. 308; Reid *vs.* Eldredge, 27, Cal., 346.) "The statutes passed in England before the emigration of our ancestors, which were in amendment of the law, and which are applicable to our situation, constitute a part of our common law," (Patterson *vs.* Winn, 5 Peters, 233; Catheart *vs.* Robinson, Id. 264, 280; Taylor *vs.* Thompson, Id. 258.)

Some of the inhabitants of this Territory came hither from the organized States of the Union, but a large proportion came from the British Isles, particularly from England; others came from Germany, Holland, Norway, Sweden and Denmark; a large majority of the adults are foreign born; all came from countries where monogamy is the marital rule, and where polygamy and bigamy are denounced and punished as monstrous crimes; all came from countries whose laws, like the Roman civil law and English common law, condemn the man who has two wives as a bigamist, and the man who has more than two wives as a polygamist, and all of which countries severely punish such criminals.

It makes no difference whether the pioneers who settled in Utah found here the principles of the Roman civil law, or brought here the principles of the English common law; those two great systems of jurisprudence with equal emphasis condemn polygamy and bigamy which are regarded as practically the same crime. Blackstone says: "Polygamy can never be endured under any rational civil establishment, whatever specious reasons may be urged for it by the eastern nations, the fallaciousness of which has been fully proved by many sensible writers." "It has never obtained in this part of the world, even from the time of our German ancestors." "It is therefore punished by laws both of ancient and modern Sweden with death. And with us, in England, it is enacted by statute 1, Jac. I. C. 11, that if any person, being married do afterwards marry again, the former husband or wife being alive, it is felony." (Blackstone's Commentaries, Vol. 4, p. 164 marg.) Chancellor Kent says—"No person can marry while the former husband or wife is living." "If there be no statute regulation in the case, the principle of the common law, and not only of England, but generally of the Christian world is, that no length of time or absence, and nothing but death or the decree of a court confessedly competent to the case, can dissolve the marriage tie." (Kent's Commentaries, Vol. 2, pp. 79-80.) The same writer says—"The direct and serious prohibition of polygamy contained in our law, is founded on the principles of Christianity, and the laws of our social nature, and it is supported by the sense and practice of the civilized nations of Europe. Though the Athenians at one time, permitted polygamy, yet, generally, it was not tolerated in ancient Greece, but was regarded as the practice of barbarians. It was also forbidden by the Romans throughout the whole period of their history, and the prohibition is inserted in the Institutes of Justinian. Polygamy may be regarded as exclusively the feature of Asiatic manners, and of half civilized life, and to be incompatible with civilization, refinement and domestic felicity." (Kent's Com., Vol. 2, p. 81. See 1 Domat's Civil Law, 13, and Chambers' Encyc., 6, Vol. 336.)

Emigrants have been coming into this Territory from prior to the Treaty of Guadalupe Hidalgo, which was proclaimed A. D., 1848, to the present time; and whether they found here the principles of the civil law, or brought or found here the principles of the common law, they were alike forbidden to practice the crime of bigamy, and that, too, without any Congressional legislation upon the subject. But by the Organic Act for this Territory, approved Sept. 9, A. D. 1850, Congress, among other things, provided a Supreme and three District Courts for the Territory, and enacted that "the said Supreme and District Courts respectively shall possess chancery as well as common law jurisdiction,"—thus by statute adopting for the Territory the system of jurisprudence which the emigrants had brought hither. And the Act of Congress, of July 1, A. D. 1862, denouncing penalties against the crime of bigamy, was in strict harmony with the principles of both the civil and the common laws. It is quite time that certain men in this community who mislead the people, who prate about their loyalty to the Constitution while they denounce every law that opposes their lusts, it is quite time that such men had learned that "the jurisdiction of a nation, within its own territory, is exclusive and absolute. It is susceptible of no limitation not imposed by itself." (The Exchange *vs.* McFaddon, 7 Cranch, 116.) Let them make up their minds that this nation will enforce in Utah, the same laws that are enforced every where else in the civilized world. Let those men who have been ignorantly or willingly misled into bigamy, make provision for the support of their illegitimate children, and the mothers of those children, and then let them cease to cohabit with their concubines. After they shall have done and persisted in such "works meet for repentance," there will be time enough for them to apply for American citizenship on the ground that they are men "of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same." Whatever the present applicants for naturalization may have supposed in regard to the law prior to 1862, they now know that the law condemns their conduct. If they have any desire ever again to become the law-abiding men which the court presumes they once were, let them at once begin to obey the laws,—laws in harmony with the principles and practices of all civilized nations; let them no longer listen to the precepts, no longer imitate the examples of false teachers, who would have them believe that the man who turns away from the wife of his youth, and takes to his bed and board and bosom one or more young concubines, does a deed of piety,—a deed, however, which reminds civilized men of the filial piety which prevails among certain African tribes, where children rid themselves of their aged parents by knocking them on the head with a club.

These applications for naturalization must be rejected.

Special Notices.

HARDWARE.—In this line William Blair & Co., carry on a large and thriving business, and in their traffic have earned a wide-spread reputation for "squareness" in their deal and the reasonable prices of their goods. They occupy 179 and 181 Randolph St., Chicago. See their advertisement in the NEWS.

The Celebrated Elgin Watches, Finest Diamonds, Jewelry, Silver-Plated Goods, Optical Goods, Spy-Glasses, Spectacles for the million, Microscopes for Miners, Bank-Note Detectors, etc., etc., for sale by Carl C. Asmussen, New Rock Building, opposite Salt Lake Exchange. d305 3m

OYSTERS.—A. Booth, CHICAGO, the oldest House in the West, packs his own Oysters in Baltimore, thus saving two or three profits. Try him. d68 3w

LUMBER! LUMBER!—Cheap for Cash Common from $3 to $3.50; Clear, $4 per hundred feet. Mill running winter and summer. d14 3m J. J. THAYNE, 1st Ward, S. L. City

SUMMONSES.—We are now prepared to supply Justices of the Peace with Blank forms of summonses. Other Blank forms also for sale at this Office. d58,s104&w-1tf

FOUND.—On East Temple street, about two weeks ago, a small **Bunch of Keys.** The owner can have them by applying at this office. d83 tf

NEW ADVERTISEMENTS.

SALT LAKE

THEATRE.

Doors open at Seven. To commence at half-past

WEDNESDAY EVENING,
MARCH 1, 1871.

GRAND VOCAL & INSTRUMENTAL

CONCERT

PROF. GEORGE CARELESS
Conductor.

Mrs. L. Careless,
The Favorite Vocalist.

MARK CROXALL, ESQ.,
The Talented Cornet Player.

MR. JOSEPH J. DAYNES,
Accompanyist.

PROGRAMME:

PART FIRST.

Grand Selection,.....“Bohemian Girl,”
(Composed expressly for this Concert by Prof. Careless,).....Orchestra
Glee,.....“Hark the Lark,”.....Chorus
Part Song,.....“The Merry May,”
Children’s Chorus
Song,.....“I’d be a Star,”.....Miss Pascoe
Quartette,.....“When Evening Shades,”
Messrs A Gardener, T. McIntyre, T Griggs and W Owen
Comic Song,.....“Dutch Gentleman,”
Mr C R Savage
Duet,.....“Larboard Watch,”
Mrs L Careless and Mr G Careless
Comic Song,.....“Ballad Singer,”
Mr H Gardener
Cavatina,.....“Waiting,”.....Mrs L Careless
Solo,.....Pianoforte.....Mr Jos Daynes
Song,.....“When Lubin Sings,”
Miss Rhoda Young
Quartette,.....“Come Where My Love Lies Dreaming”.....Mrs L Careless,
Mrs V Young, Mr T Griggs and Mr G Careless
Finale,.....“Chough and Crow,”
Mrs L Careless, Mrs S Ellis,
Mr W Spiring and Full Company

PART SECOND.

Grand Selection,.....“Il Travatore,”
Orchestra
Glee,.....“Here in Cool Grot,”.....Chorus
Part Song,.....“Little Bird,”
Children’s Chorus
Song,.....“Put My Little Shoes Away,”
Little Miss Georgie Clawson
Duet,.....“I Know a Bank,”
Mrs L Careless and Mrs V Young
Solo,.....Concertina.....Mr W H Foster
Song,.....“Man Know Thyself,”.....Mr G Teasdale
Quartette,.....“Continental Railroad,”
Mrs L Careless, Miss Olsen,
Mr H Gardener and Mr W Owen
Solo-Cornet,.....“Hurricane Polka,”
Mr M Croxall
Comic Song,.....“Nervous Family,”
Mr W G Dunbar
Song,.....“Waiting, my Darling, for Thee,”
Mrs L Careless
Duet,.....“All’s Well,”
Mr W H Foster and Mr G Careless
Finale—Chorus,.....“Joy, Joy, Freedom To-Day,”.....Company

SECOND CONCERT

In consequence of the RUSH FOR TICKETS for the Concert last night, a great number of citizens, not being able to procure the seats they desired, are denied the pleasure of attending it. To gratify them, and at the same time comply with the expressed wishes of many of his friends,

PROF. GEO. CARELESS
WILL

REPEAT THE CONCERT!

THIS

WEDNESDAY EVENING,
MARCH 1st.

To commence at half-past Seven o'clock.

The Programme will be the same as last evening.
d84 tf

LATEST NEWS TO LADIES!
Z. C. M. I.

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MRS. COLEBROOK is now SELLING OFF her Choice Stock of

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We call your especial attention to our large assortment of **Spring Style Caps** and

NEW STYLE HATS.

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106 South Water Street,
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We guarantee our Oil perfectly pure.
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CHICAGO SHOT TOWER CO.,
Manufacturers of,
DROP AND BUCK SHOT, BALLS AND BAR LEAD.
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THE NEW PATENT

PORTABLE GAS LIGHT!

TAYLOR & CO.,

HAVING received from the East their Large Assortment of the

PORTABLE

GAS LAMPS!

Will be enabled to sell them

CHEAPER THAN EVER!!!

Each Lamp is in itself a COMPLETE

Gas Factory.

CHEAPEST, BEST and

SAFEST LIGHT KNOWN

Costs No More than the Chimneys of other Lamps.

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☞ NO SMELL!!!
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That will last a lifetime, generating its own gas from a fluid nearly as

CHEAP AS WATER

This is the true Illuminating Fluid, and Warranted when burned in the

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The safest form in which can be burned any of the products of Petroleum.

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