CHARLES W. PENROSE, EDITOR, Wednesday, - April 22, 1885

EVENING NEWS

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# THE UTAH COMMISSION.

No doubt the definitions, explanations and suggestions which have supplaated the "rules, regulations and decisions' of that imperial body known as the Utah Commission have been read with considerable interest. They define with tolerable clearness who are electors and who are not under the notorious Eduands Act. The expurgatory conditions, as relating to polygamists, are "death, divorce or other effective manner." As to what the third process of franchise adjustment consists of, the intelligent reader is magnanimonsty left to form his own concluaions:

Paragraph 5 of the definitions is entitled to a moment's attention :

"The first or legal wife is not enti- reason to believe have become disquallthe first or legal while is not enti-tled to be registered, if at the time she offers to register she cohabits with a bigamist or polygamist, (unless the other wives are dead or divorced,) nor with a person cohabiting with more other purposes." than one woman.

of course the Commission speak from a legal standpoint, and no other inference can be drawn from the fore- This has been illustrated in numerto legal divorcement from her husmerely from a common sense base, to step in and effect a formal dissolution of a marriage contract which worn out and harassed by being reposition that plural marriage can be each chaiming that he was not responwould be decidedly illogical.

The Edmunds act itself is not free from the same incoagraity that thus characterizes the defluitions of the I tah Commission, and on this ground such defects may be deemed somewhat excusable in its outgrowths. When the parent stem is a rungus, it cannot be expected in reason that the offshoots shall be apples or grapes. Section of the Act legitimates the outspring of "Mormon' polygamous marriages born prior to January 1st, 1883 That virtually places the marriages of which these logitimated issue are the result on the same base. In all civivized usage the deviaration of the le-

edge would be an insult to their intelligence. Yet instead of endeavorlite of propaging or regults ing to repair the breaches heretofore made in the bulwark of the people's rights, they still indicate a leaning in the same direction. The are unable to apply now the most infamous oath ever formulated, but their relinquishment is compulsory and should never nave been necessary, because it should never have been adopted. True R was suggested and recommended to them, and the identity of the suggestor is

they must otherwise satisfy themselves that persons offering to register are free from the disqualifications defined in the Act of Congress. In floing so, they are, of course, required to exer-cise diligence and good faith in their inquiries, and are responsible in dam-ages for rejections made without rea-sonablejcause, or maliciously." EXPRESSIONS FROM THE PEOPLE. THE EDMUNDS ELEPHANT. Editor Deservet News: The Edmunds law, designed to catch sonablejcause, or maliciously. "Mormon" polygamists only, is proving quite an elephant on the hands of the Government. To say one thing in

"If they have not the right to exact an oath different from that, the form of theory, and do another thing in pracwhich is in the Territorial act," fur-ther shows that the Supreme Court may be imagined. And we find the courts, the prosecuting officers and did not admit any such author- even the Commissioners harassed to ity as that now being used hy their wits' end, to cinch the "Morthe Commission. On the contrary, a mons" for all the law's worth, and at

TIONS AND SUGGESTIONS OF "responsible" and purely mainisterial the Edmunds trap. It is not so very long ago I have unofficers, as exhibited in the quotation just made, are credited with judicial derstood, that the Executive intellect was taxed to its utmost limit in this

powers in deciding who are entitled to direction, and the noted words "in the register or otherwise. To "satisfy" marriage relation" were gubernatorially inserted in the official oaths of themselves on the subject referred to, certain candidates for offices, so as to the judicial function is indispensible. effect this desirable protection to per-It will be admitted that a "reason to sons who did not come within the radius of religious polygamy. Then we found the same useful sentence in believe" base of action under existing conditions is dangerous to the rights of expurgatory oath prescribed by citizens. Especially when placed in the Utan Commission, whose acthe hands of men with decided prejuso cou pletely "sat down on" by the dices and in numerous instances ma-Supreme Court: This bulwark of nonlicious purpose toward people with "Mormon" liberties having been shatwhom they are brought into official tered by public ridicule, and judicial utterances somewhat covertly ex-pressed, it is true, the Hon. Commiscontact. It is likely that our readers have noted this clause of the "suggessioners in their new Instructions, pubtions" of the Commission : lished last evening, after, at the

commencement, defining in the strict "Said Registration Officer, or his deputies, should strike from said list the names of all persons, who, he has

fied to vote under the act of Congress, approved March 22d, A. D., 1882, enti-tled \*An Act to amend Section 5552 of the Revised Statutes of the United is she to be registered, if she cohabits States in reference to bigamy, and for

It is exceedingly easy for some men, especially anti-"Mormons," to get up some "treason to believe" subterfuse going than that a plural wife is subject ous instances in the past, when people have, on this bases, band. It is to be presumed they know had their names peremptorally stricken tion what they are talking about, yet ordl- from the registration lists. There are of the clause, "and that I do not cohabit with more than one woman," nary mortals who consider matters plenty of proofs of this having been done. And when application has been will wonder how the law can be made made by the parties wronged to have trars. Why is it that these officers, to stand up of the target of such matters adjusted, they have been has no deral status. To take the ferred from one official to another, dissolved by divorce is equal to assum- sible, until it has appeared as if the ing the validity of the contract thus manipulation of election matters was extinguished. Any other inference an "irresponsible" affair not only at its head, but throughout the entire body.

The people who have been politically robbed by unconstitutional laws and to omit the rest of the requirement official trickery know too well the sigificance of the "reason to believe" suggestion. The whole business thus far under the Utah Commission has been a giving its promoters a good deal of trouble, and may do still more. He that flees from the fear, falls into the ocen, as a whole, an element foreign to the subject The Commission from the ouset have

acted in a partisan spirit. They save indicted wrongs upon the infer that they did so without knowl-

## language of the Supreme Court, the classes who are deharred from voting as "every man who is a polygamist or bigamist, and every person cohabiling with more than one woman," in the last clause flippantly "suggest" that each deputy registrar, before entering upon

the discharge of his duties, should take an oath "that he will support the Constitution of the United States, and will falthfully and impartially perform

the duties of his office as herein de-fined, and that he is not a highnist or polygamist." The reader will perceive that inotwithstanding the decision the Supreme Court, and citing of its opinion so technically as above mentioned, and also the in the oath for voters this most important paragraph is omitted from the ostu of the Regisperhaps in the whole field of election, and who are required to take oaths of Impartiality and fidelity, should be exempt from this very vital requirement, which is deemed such an important qualification for the voters they are appointed to register? Why is the oath to be taken by them divested of this essential feature? In leaving out the protective sentence "in the mar-

riage relation," was it not necessary Of course it was! The Commissioner: may have omitted it by mistake, but it was a most opportune blunder. The fact is this Edmunds haw seems to be pit, and he that gets out of the pit is taken in the source It certainly looks strange, when those

who are appointed to execute the biw, which is to make us all moral, are exempt from its provisions. Is it be "Mormon" people of which cause they are perfected in purity, or they should be ashamed. To are they afraid to take the medicine they themselves have provided? INQUINER.

AMERICAN.

LATEST BY LIGHTNERS.

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withheld at the request of Secretary Manning, who accepted the same to-day on behalf of the President. The ay on benalt of the President. The Secretary expresses his confidence in Treasurer Wynan, and regists his re-tirement, which is entirely voluntary. Mr. Wynan was in March elected vice-president of the Donaha Na-tional Bank at Omaha, Nebraska, have charge of an important trust company there. C.D. Jordan, formercashier of the Third National Bank of New York, was to-day appointed successor, and is present in the city preparing to assume the duties of the

#### 8250,000 Fire.

THE DEFINITIONS, EXPLANA-in this remarkably opaque decision that in the same time supply a decent toophole might perchance get a foot or a tail in the Edmunds trap. VICKSBURG, Miss., 22 .- A fire last Warren & Searles, clothing; Baum & ('o., stationers; Robert Ernst, jewcler Westcot, hardware; Joseph Ho desta, wholesale liquor; United States Signal Office; Telephone Exchange three residences on Mulberry Street the Herald office and Western Tele graph Office. Loss, \$259,000. -----

# FOREIGN.

LATEST TRANS-ATLANTIC' DIS-PATCHES

#### Consols.

LONDON, 22, noon.-Consols closed ast night at 95%, and opened this morning % lower, at 95. Consols at 12.30 fell to 94%, but are now stronger at 95 '. Russlan securi ties also better at 84.

#### Volcanic Eruption in Java.

LONDON, 22. - Dispatches received here this afternoon state that a terrible volcanic eruption occurred at Passar-van, a province in the cast end of the Island of Java. A number of plantations have been devastated, and it is feated that fully one hundred persons have been killed.

#### A French Fleet Rendy to Humiliate Great Britain.

PARIS, 22.- The Journal Des Debats says this morning in regard to Glad-stone's statement waiving the responstbility for the suppression of the ated with his father for 10 years. Anyone Besphore-Eduptian that France must asing this name must show some reason inser Besphore-Egyptian that France must look to England for redress. We will maintain our rights and do not lack ample means to do so. It also states that a French fleet has been got in readings for the purpose of making a naval demonstration on Alexandria to enforce compliance with the demand of France in retalistion for the suppressed newspaper Bosphore-Egyptian.

#### The Plot Thickens.

LONDON, 22.-That government expects war seems to be fairly inferred from, First-Its last night's announce ment of the probable vacation of the Soudan; Second -The repeated references made by Gladstone last evening "Home Talk," which he will sell at New York o the necessity of holding all the troops there in readiness for service whenever they may be wanted, (and these latter words were observed to be spoken with emphasis). Third-The demand for £11,000,000, meaning five pence half-penny increase on the pound in taxes; a demand never before made except for war; Fourth-It would not have excited popular feeling by so readily giving out Lumsden's bellige rent dispatches.

London's morning press spare no words in giving the life to Komaroff upon Lumsden's testimony. This sen-tence from the Chronicle, heretofore a peaceful liberal paper, is a good in-stance of the definit tone of the press. "A more crushing rejoinder could hardly be imseined. Not one sentence

DHATES. DR. HENLEY'S Kaysville, March 30th, 1885, of nfammation of the bowels, George Riley, son of Hyrum & and Alice Bennett King; born at South Hooper, March 11th, 1885. CELERY, BEEF AND IRON. GATES .- On the morning of April 21st, 1855, of typhoid pneumonia, infant son of Jacob and Susie Y. Gates, of Provo. SMITH - At Provo, April 1980, 188 Smith, adulter of Joseph and Isabella Smith, THIS TONIC AND NER nged 2 years, 8 months and 23 days. The funeral sermon was preached by vine has met with great suc Hishop J. W. Loveless. -- Provo Enquirer. cess in California and Oreg n. where it is well known as an, WANTED. A HEALTHY WOMAN TO WET NURSE unfailing remedy in cases of THIS OFFICE. DEBULITY IND GESTION DEBILITY, IND GESTION, LOSS OF APPETITE, NER-RAN AWAY. THIS MORNING, A BLACK HORSE, 7 VOUSNESS and MALABLAD to a left hip, and brand resembling 10 on left hip, and brand resembling 10 on left shoulder; his mane hangs to the left. Return to T. HENRY, Second Mand Mark 20 Compared Mand Mark Store 20 Compared Mark Store 20 Compared Store FEVER. Won en who at Beturn to T. HENRY, Second Hand Store, 20 Commercial Street, troubled with nervous headand be rewarded. aches have found great relief PROFESSIONAL CARD. by its use. Medical men have recommended it in cases where DR. EDWARD B. FOOTE, SR. tonics are required. AUTHOR AND PRACTITIONER, Of New York City, a Specialist of Thirty years' experience may be consulted duily, from 10 till 3, at the great deal of good. For sale by all dealers of Spencer House, 252 First East St., Dags, Liquors and Grover e: Between Second and Third South, SALT LAKE CITY, UTAH. THIS DR. FOOTE is the well known anthor of "Plain Home Talk," embracing "Medical Common Sense," of "Science in Story," etc. and editor of "Dr. Foote's Health Monthly," DR. FOOTE, SR., is in Salt Lake City for the purpose of showing that the only Dr. Foote, Jr., or Dr. Foot, Jr., entitled to that designa-tion, who has made timself conspicuous as a ractitioner and writer, is his son, Dr. E. B. Foote, Jr., who has never visited Utah or the Great West, nor practiced medicine outside Jr New York City, where he has been associ-**STERM ENGINES AND BOILERS** From 2 H. P. opward, smiable for that entitles him to do so, or his pretentions will be challenged. Anyone who fraudu any purpose. lently, and with the intent to deceive, uses a Cornish Pumps Built to Order name which does not belong to him, can hardly be depended upon as a safe counsei-for when health and life are at stake. The readers of Dr. Foote's works, all patients who have consulted him by letter, and the sick generally are invited to call. No charge for consultation in newson or by mut. The Also Pumps for Deep Wells, Pulsoneithe cheapest steam pump made and the cashest forum. Burrs and Pans for Samiting Male of pualled for Hardness and Disculation (1), energy, Cresting, etc., angly consider of scale. for consultation in person or by mail. Dr Foote's visit will be brought to a close as soop as the oldect which brought him here is accomplished. This unavoidable uncer-tainty renders it expedient that those who wish to avail themselves of this opportunity of consulting the Doctor, without incurring North Temple Street, No. 149 W SALT LAKE CITY UTAH. the expense of a visit to New York, should do so without lelay. Dr. Foote has with him a limited number of copies of his "Plain Pest Office Rox 516 prices. Consultations and inquiries by man promptly attended to. Contract of the second second INFORMATION WANTED. SUPERFINE FANY ONE KNOWS WHERE W. W Priestly, jr. is, piense drop a line to S. LAMENTH, WHOLE-WHEAT Laytonville, Mendocino Co., t al. d 119.2w FLOUR. <sup>\*</sup> his Flour is made by special process, from the best qualities of time wheat, and contains \$11.



Z.C.M.I.



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under a contract amounts to a settlement of the question of the validity of the contract itself, where tabre has been any previous question upon that point. And if the invalidating of those contracts by the legitimating of their issue is the hegical conclusion, as there has been no subsequent specific annulment, the inference is clear that they should have the recognition of

The decision upon which the defini tions of the Commission claim to be based, clearly rules that their office and that of the registration officers are pur 1, ministerial, being neither legislative nor judicial. In the face of this fact the former; declared to be an "irresponsible" bolly, issue "suggestions" to the latter, included in which is a form of oith, which the registrars the "responsibles" - are recommended to adopt and require electors to subscribe to, us a test, before they can be registered. This form of oath is legislation in fact and essence, be cause no liw, either of the United States or the Territory of Utah authorizes it, and it is not in accordance with anything of the kind incorporated in any encoment. It is different from the infamous, corrupt and partisan form formerly adopted by the Commission, and more in accordance with justice, but it is no more in harmony with law. There is no legal authority for it. It is new legislation, and therefore there is no authority for its enforcement either by the "reponsibles" or "irresponsibles" -Commission or Registrars.

The formulation, recommendation and, we presume, adoption of this for the Commission, on the ground outhis has alupon the late Supreme that they were driven to the alterna-Court decision which defined the usur- tive of omitting the anti-cohabitapations of authority of which the Com- tion proviso, because they would mission first been guilty, but the foundation appears to be of an exceedingly number of registration officers from shadows character. We will now refer among the class from which the mato the tragile basis upon which the pro- jority are selected if they inserted it duction of the new oath is predicated, as gaoted in the definitions. Speaking presented of a presumed legal requireof the form of outhincorporated in the ment placed upon the people which Territorial election law, the decision of isomitted in the cases of those who the suprame Court says:

"Either the oath itself must be rearded morely as a model, to be modiand by the operation of the Act of Congress, so as to meet by appropriate denials the several new disqualificatious created by it, and then to be taken will the prescribed effect of entitling the person subscribing it to register as a outer without other proof; or else the effect of the Act of Congress as to junit the class entitled to take th outh in the form prescribed by the Ter-ritorial Act, with the effect thereby given to it, to those who are not subject to the disqualifications which the Act of Constess imposes.

as clear as raud. Stripped of its verbiages the statement means this: Eitherstue Territorial oath must be regarded as a model after which to shape something else, or else the effect of the Edmunds act is to apply the Territorial oath and hink those entitled to take it to persons not disqualified from being electors under the law of Congress. The registrary are thus left with two horns of a dilemma conspicuously in sight, without any information from the ruling as to which of them they should selve. It is an absurd situaequal justice. tion, because if the decision proposed

to define it at all it should have done goaded as you have been by long con-

I. W. Lees, captain of the detective police of this city, assisted by detective pretty generally known, but in its adoption they fathered it, and through it discredit will cling to their memories Arthur H. Preller, at St. Louis, April 6th. It is now known that this man who is believed to be the same as T. ( ong after they have passed out of nortal existence. Their only honor-Dauguler, as registered here, did no able course is to repeat of their shortstop at the Palace Hotel during the omings and repair, as far as possible, he wrongs they have inflicted. ence of wine he became very talkative at a house he visited. The proprietres. It will be admitted that the ministers of the house being interrogated after-ward regarding her visitor, stated that If the law should be above the law,  $|\Lambda|$ orrespondent touches a key-note in he introduced himself as a Frenchman recounted many warlike deeds, showed reference to that point, on the subject her a diamond ring with a deep claws setting. The diamond was about a three-quarter carat. As further eviupon which we have been treating. The iath to which male applicants for regdence of the large quantity of jewelr istration will be required to subscribe, of which he was possessed, he showed oncludes with the words "I do not ohabit with more than one woman." three-cornered scar under his chin. Now let the reader consider the follow-During the early part of the evening he iowing, which has been purposely spoke in broken English, but on lookshorn of its tail: ing over a photograph album suddenly

ejaculated in most excellent English "The Registration officers and their "On! that's Henry Irving and Miss "On! that's Henry Irving and Miss Terry," on seeing the photographs mentioned. The open-faced silver watch which he brought from St. Louis, alluded to in a previous dis-patch was exchanged, by him here for another and has been found. It bears on the inside of the outer case 3,362 and 4,316. Following the latter num-ber is a dot underlined, then the denre deputies should each, before entering upon the discharge of als duties, take and subscribe an oath in substance that 'he will support the Constitution of the United States, and will faithfully and impartially perform the duties of his office as herein defined, and that he is not a bigannist or polygamist;' and in order to secure pay for their ber is a dot underlined, then the figure services they should immediately one with a long down stroke and transmit said oaths to the Secretary of figures eighty-five. Below these are this Commission figures five with a down stroke and

An effort may be made to apologize eighty-three under which are the let rs W. W. R. underlined by the letters . C. O. On the inside of the case are numbers five, with a down stroke, cighty-three, under which are the capital letters D. N. Ou the inside of the brass cap be unable to procure the requisite that covers the works is written in ink H. M. Brooks with the figures, either 902, 402 or 102. The importance of this discovery is that the name is the same as that subscribed to the ticket pur-chased from the St. Louis and San But be that as it may, the anomaly is

of the name on the ticket and in the watch case shows that it has been done are to them the ministers of the law. Still it is not so fligrant as the antiference being in the letter "S" word "Brooks." Captain Lees 'marriage relation'' clause of the former oath. It partakes of the same the query whether H. M. Brooks is nature, however, making a distinction not the correct name of the supposed between classes in the application of law, which is never tolerated in theory, and rarely in practice, except when 'Mormons' are the proposed victims.

----HE STRIKES IT RIGHT.

# By courtesy of A. M. Musser, Esq., we

are enabled to present an extract from To a carsory reader that almost in-terminuble sentence doubtless appears sional gentleman (being an M. A.,) of maia, and seven children are among California. The writer of the communication has penned several articles which appeared in the Boston Investi- from the east. ator, in which he has had nothing but | Particulars of the Beath of General sympathetic words for the Latter-day Saluts and scathing denunciation for The Builetin will publish this after "In reply to your letter of the 13th astant, I will say that I have read with leasure and benefit the pamphlets Guatemala: The engagement in which pleasure and benefit the pamphlets that you sent me. In them I find many statistics of great value. Please ac-cept my thanks, and a hand shake for

much larger body of San Salvadoriaus At 9 a. m. Barrios gave the order to "I wonder that you and your people, attack, but at 10 o'clock no advance movement had been made, as the

Barrios.

Komaroff report in ne chuse of it was exempt from the BY TELEGRAPH ro-sest and most impudent perver-PER WESTERN UNION TELEGRAPH LINE.

This doubtless will also be the tone of John Bull to-day ou change and

#### Meeting of the Men-of-War.

On the Trail of PreHer's Mur-LONDON, 22.-Troops are swarming all the barracks throughout the derer. SAN FRANCISCO, 22.-A very impor

United Kingdom, in response to the government's call for reserves. The taut clue has been unearthed to-day by war office in London is besieged by military officers asking for employ-ment. It is decided to divide the Portsmouth fleet up into Channel, flying and reserve squadions. Fresh orders have been received to increase the number of workmen at Portsmouth.

> Outing for May contains its usual number of articles on subjects of interest to pleasure seekers, written in an entertaining manner. It is published by the Wheelman Company, 175 Fremont St., Boston,

Charles Crane, of Kanosh, Millard County, Utah, is the writer of a prize article on the subject of "Treatment her links of beaten gold and platinum. The woman also observed that he had a of Scab in Sheep," which appears in the March number of the Sheep-Breeder and Wool-Grouver, published in Chicago. In alluding to the award the editor says: "The competition was very close, there being more papers submitted than for any other prize. It was exceedingly difficult to make the award, and finally, the contest being narrowed down to the two articles published (the one mentioned and one by H. F. Currier, of Colorado,) a compromise was effected by which the award was made to both." The article s illustrated with wood cuts, without which it would scarcely be intelligible to our readers if we were to publish it, therefore we refrain from doing so.

### Michael's Minacle.

an be reached by external application. Thousands have borne testimony of permanent relief ha less than three minutes by a single application. Sold Francisco Railroad at St. Louis and by all Druggists in Salt Lake City. collected on the train from the mag Douquier. Comparison of the writing COAL! COAL! COAL!

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way Company. A. J. GUNNEL Agent.

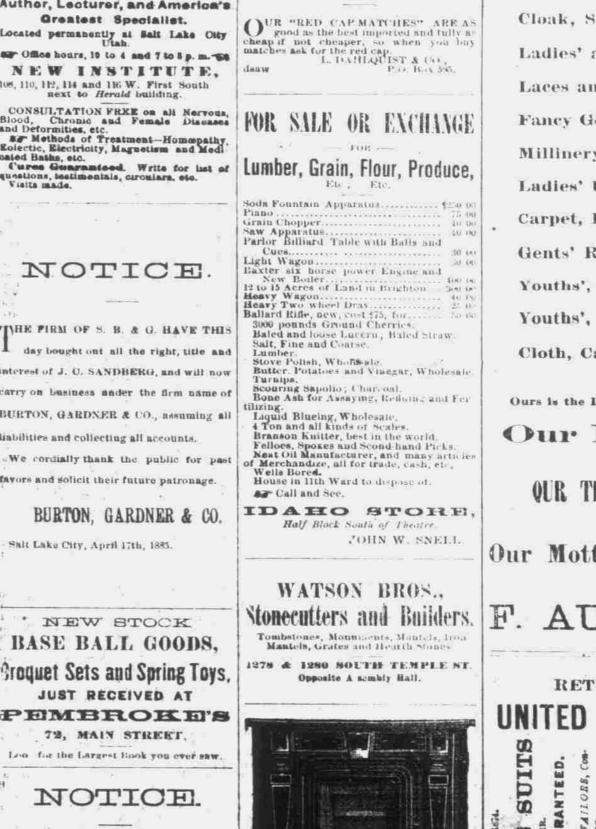
Office, Wasatch Gorner. NOTICE TO THE PALLIC. If you want anything in the Furni

niture Line or any repairing or jobbing done, call at my old place to business

101 W. South Temple Street, opposite Barrios was killed was between one battalion of Guatemalan troops and a Valley House.

EOR BALE, CHEAP,





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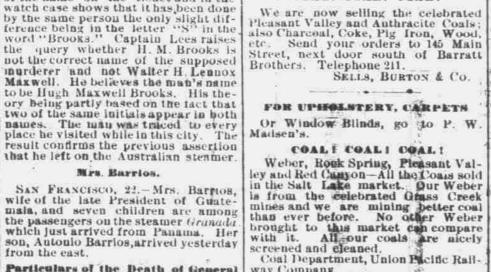
AND OTHER DESIDES.

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THE ANNUAL MBETING OF THE Stockholders of the Utah Central Bad way Company will be held at the office of the Deservet National Bank, Sait Lake City, U.T., on Monday, May 4th, 1815, at 2 o'clock G. SCHAFFER & CO., MANUFAG NANTELS and GRATES, dealers i FANCY GRATE THIMMINDS, THE BR 185 GOODS, etc., Cin 'inn Htt, O Secretary Salt Lake City, U. T., April 11th, 1885. WATSON BROS., Manufacturers' Agents, keep a complete to of the above goods constantly on hand dll6 td

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Our Prices for New and Desirable Merchandia: in a owing Departments, at Wholesale and Retail,	ill of the
ARE THE LOWEST IN THE CI	TY.
French and Domestic Dress Goods Depa	rtment.
Silk, Satin and Velvet	. 6. 6
White Goods and Table Linen .	**
Ladies' Cloth and Flannel	4 N
Cloak, Suit and Jersey	44
Ladies' and Children's Shoe and Slipper	**
Laces and Embroidery	254
Fancy Goods and Trimming	**
Millinery and Ribbon	**
Ladies' Underwear and Corset	**
Carpet, Linoleum and Upholstery	6.5
Gents' Ready and Custom Made Suit	а.
Youths', Boys' and Children's Suit	**
Youths', Boys' and Children's Hat & Cap	**
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Ours is the Largest Stock in the above lines west of Chi	садо.
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ur Motto: We Are Never Under	rsold.
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maning year.

GEORGE SWANI