It has been contended by some awyers that the adoption of the Complied Laws of Utab, during the ast session of the Legislature was in the nature of new legislation, velopes securely and safely sealed containing the lists required by law to be kept, addressed to said clerk, and therefore invalidated any Act passed during that session, previous to the day of adoption, which was from the precincts named were then and there in the possession of said clerk; that on the day last named, the respondent demanded of the in conflict with any of the provisions in the Compiled Laws. This decision settles that point. The compilation was the work of a committee, it contains no new provi- returns and canvass the same as resion and the act of the Assembly was merely an approval of the

work, and not new legislation. It has also been argued that cer- etc.

tain statutes of Utah were not passed in due form and were therefore vold, the alleged informality being the failure to pass, by a vote swered. The respondent demurred of both houses, a bill which had to this answer. The demurrer to been amanded by one House, and the amendments non-concurred in by the other, being settled by a conference committee, the appeal. action of the committee being concurred in by the Assembled is native writ. Court decides that this method is native writ. The demurrer was based upon two curred in by the Assembly. The

didates voted for at said election; that the returns from all the pre-cinets were in the possession of said Martin and members of the County Court on the 9th day of August, 1878; that all the ballot boxes were

clerk; that on the day lass maned, the reproduct demand, dot have said the reproduct demanded of the second the reproduct demanded of the second duy of the defendants to the reproduct demanded of the second duy of the defendants to the defendants to the reproduct demanded of the second duy of the defendants to the defendants to the second duy of the second duy of the defendants to the second duy of the second duy of the second duy of the defendants to the second duy of the second duy duy the the second duy duy duy t

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point is conlined to what he deems to be defects in the affidavit. "The alternative writ" and the return thereto are usually regarded as con-stituting the pleadings in proceed-ings by mandamus-the writ stand-ing in the place of the declaration or complaint, and the return taking the place of the declaration or complaint, and the return taking the place of the declaration or complaint, and the return taking the place of the plea or answer in an ordinary action at law." (State ws. Gracey 11 Nev., 223). But if we concede that the affi-tavit is a "pleading" in the case, and it is that, and not the writ, which is to be answered, how will the case stand the:" Counsel for the appellants claim that there are several vital defects in the affidavit, because, has afficient for the encess. Hat. "It is not shown that it's the has a stand for the reason: has a stand defects in the affidavit, because, has afficient for the reason: ha

the policy of their respective par-ties. Had the republicans and democrats vied in protesting that their parties would never discrimi-

usual with legislative bodies, and the passage of acts in this way is regular and law rid.
The decision settles the point, that the new election law rid.
The decision settles the point, that the new election law net outy of the Legislative Assemption of the Section 1 and the passage of the election as to which there has been as a proving and adopting the completion as a given that the section. The somptet of the same day, and the passage of the election is the fast of the County form is the fast of the Section. The some measser from him notifying the Assemption of the Cest will show that it within is as not the text will show to the case. The opinion is the fast of the County form is the fast of the form is of the County form is the fast of the county for



SEMI-ANNUAL



HOUSEHOLD SOAP

SNELL, MANUFACTURER OF

SOAP.

87/13

OR GENERAL USE

TOILET, BATH & LAUNDRY

that this is not the case. The compiled laws was passed subsc-

well as female cilizens may vote without being tax-payers. Still, the ruling is not very well supported. As is admitted by the Court, the Territories have power to prescribe the qualifications of voters, subject only to the restrictions that voters must be cilizens over twenty-one years of age, and that no cilizen yeam of age, and that no citizen simply amounted to an approval of shall be denied the suffrage on account of race, color or previous condition of servitude. The elec-

male. Is a law void which requires a poil tax of every male of a certain age and none at all of females? It is certainly not "usifterm" in the court. The opinion settles the point that the County Courts sitting as a can-vassing board can only exercise ministerial powers, and that an fat-tempt to assume judicial powers, such as passing upon the validity the sealing of envelopes or ballot boxes insecure, &c., is an act of us-urgation abharted and prohibited by the law. The effect of the ruling, so far as Teogele County is concerned, is to require the "ring" who have assume to be the universal custom require the "ring" who have assume require the "ring" who have assume that atter the adoption of the conservates agreed upon by the stature. The opinion settles agreed upon by the tages that the value agreed upon the require the "ring" who have assume require the "ring" who have assume to do agreed the sources, it when there is a disagreement so to the universal custom that anter the addition of the agreed the the upon the tages agreed upon the that anter the addition to the con-ting agreed the upon the tages agreed upon the that anter the addition to the tages agreed upon the that anter the addition to the tagreed the that

that it his is not the case. The opinion of the Court amounts to a definition of the Court che passage of the act in the definition is that the clause in the definition is that the clause in the definition is that all regulations of the court court and y and specifically point out to the passage of the act in the duty of the definition is that the clause in the definition is that all regulations of the deficiency point is the analyse is a tarpayer, is provide and adopting the compiled laws was passed a day, or any number of the section Bill," it would not the passage of the act referred to the passage of the act referred to the section frameded to be done. But they are as well as reasonable and in the section Bill, "It would not the deficiency point is that male citizens as well as reasonable and will as female citizens as well as reasonable and will as female citizens as well as female citizens as and the set as proved and ad carves the secter." Active the apported as a dimense of the secter of ification is required of male citizens from what is required of females." The provisions of the act aimed

at by the above objection are found in the affidavit which is required of persons before registration. The affidavit is as follows:

ny the facts set up in the affidavit, but lead to the conclusion that the appellants arbitrarily rejected the "I, ____, being first duly sworn, epose and say that I am over their work. It is plain that the Legislature did not intend that it should have any other or further effect, and in law it did not. It was returns as an exercise of judicial rather than ministerial functions. "When a ministerial officer leaves his proper sphere and at-tempts to exercise judicial func-

motion for a jury was properly overruled. In fact, there was no-

Associate Justice,

Saulsbury and Whyte (known to be plainly and specifically points out light of the decisions under them, unfriendly to the bill) refrained

duty was purely ministerial and motion that the bill be taken from motion that the bill be taken from the speaker's table for concurrence the returns and awarding the certi- in the Senate amendments under a ficate to the proper persons. (Ame-rican Law of Elections, p. 64). The several attempts at denial, and the allegations of the answers

taken together, not only do not de-

WESTERN.

Excitement in Sitka - The Indian Threatening the Whites.

SAN FRANCISCO, 17 .- A Victoria dispatch says: The steamship Cali fornia left Sitka on Feb. 10th, and arrived at Esqumault on Feb. 14. There was much excitement in

HAVE in my possession

Three families came down on the steamer fleeing from danger. The

steamer neeing from danger. The storekeepers are preparing to emi-grate by the next steamer. Father Metropolsky and his con-gregation, in conjunction with the American citizens of Sitka, have petitioned the commander of Her Majesty's man-of-war, now lying at Esoumault, to come to their imat Esqumault, to come to their im-mediate aid, fearful, that they can-

not allay the disturbances before the United states Government can send assistance. It is rumored that Cutting and

reliance is placed on the rumor because the company have Indians in their employ who seem to be peace-ably inclined.

The collector of Alaska has tele-graphed to Secretary Sherman for aid. The Indians threaten to kill wo white men in retalistion for the two prisoners.

The night before the steamer arrived an alarm was given, through some nervous persons, creating the greatest consternation. The peo-ple barred their doors and stood ready for action. "The priest's house was crowded with terror-stricken women and children, who couldn't

be induced to return to their home till daylight. The steamer's arrival created more confidence, but the fear be-

 net required of all others is vold.
 (American Law of Elections, Sec.
 (American Law of Electi desperate fight. John Brown was murdered in his cabin while saleep. He was hacked to pieces with an axe, and his remains thrown into the ocean Plunder was the incentive. Much of his property was found in pos-session of the murderers.





A PART of a House, contairs 3 rooms, sood cellar, and convenient out-house, stable for horse or cow if desired. Two blocks from Deserst National Bank. Price \$3 per month. Enquire at, this office.

DR L. BERG DENTIST, takes pleasure in announcing to his patrons and the public generally, that he has Removed his Office to 11 First south Street, where he is prepared to exe-oute everyteing in his line of business to the satisfaction of all. Call and see him. d 18 tf

46th SCHOOL DISTRICT.







Cosnerg, about four miles from Sitks, is sacked and burned. No



Shared Barry