THE EVENING NEWS

UBLISHED DAILY, SUNDAYS BACEPTED AT FOUR O'CLOCK.

DAVID O. CALDER. EDITOR AND PUBLISHES.

Feb. 24, 187

NEWS OF THE DAY.

-A resolution in favor of wo-man suffrage was defeated yester-day, in the Massachusetts Legislastrictly regular."

ANOTHER MOV

MESSES. Sutherland and Bates, at-

yesterday (Feb. 23) with an order

Court, to appear on the first Mon-

verCo., to show cause why they

with, briefly, professional miscon-

lous for a fair and speedy trial of

their cases, but they do not want

to be thrust into prison to wait a

among other things, "fraud or mal-

-A. S. Baker & Co., fruit deal ers of New York, have failed.

been passed by the House of Representatives.

----The price of grain is said to have a downward tendency in the markets of Europe.

-Gladstone has written another day in April, 1875, al Beaver, Beapamphlet on Catholicism.

-It is said that Spain has agreed to pay England five hun-dred pounds sterling for every white, and three hundred pounds sterling for every black, subject of hers killed in the Virginius affair.

----The bill for the admission of Colorado as a State, was called up yesterday in the U. S. Senate.

cents gold per word.

----The opening speech for the defence in the Beecher trial, was made by Mr. Tracy to-day.

---The republican senators, in long and undefined and uncertain caucus this morning, agreed that time before trial, and they offer Colorado and New Mexico shall be bonds for their certain appearance admitted as States this session. in court at any specified time to

----An innkeeper, at Washing-ton, D. C., attempted murder and suicide last night; the former is likely to prove successful, the latter is rather doubtful. the m. Documents published else-where in to-day's NEWS detail this matter more fully. The gentlemen named are at a

-General Hawley has been re nominated for Congress by the Connecticut republicans.

RIGHT OF SPEEDY TRIAL.

States expressly provides that "in all criminal prosecutions the accus- or constructive, as when officers of statute forbidding bail has nothing ed shall enjoy the right to a speedy a court are guilty of any corrupt to do with the matter. We propose and public trial by an impartial conduct, abuse of process, or culpa-jury of the State and district ble neglect of duty." Construc-wherein the crime shall have been tive contempts may consist of, SUTHERLAND & D. committed."

In the case of Col. Thes. E. practice of alterneys, solicitors, Ricks, ef Logan, indicted last etc.," or for breach of any prescribto see Judge Boreman then, I called upon him thrice while he was in attendance on the supreme court Beaver County. of murder, ed duty in connection with court in this city; I told him orally that Second Judicial Distr closely confined in the Penitenti-ary ever since, and denied priv- these contempts been committed County. I desired to make an arrangement as to the trial of the defendants in the Mountain Meadows massacre ilege of bail, this speedy trial does not come, though he has ask-ed for it and urged it, and though it is well known that he is ready liege of bail, this speedy trial does by the gentlemen named? and anxious for it to come off. In- the gentlemen have committed to be given, for their free and volpetition that I proposed to make orally, to which he assented. Accordingly I, myself, prepared the offending petition to the Hon. Judge Boreman, had it copied, duuntary surrender at the next term of this court, for trial on the indictdeed it seems that in his case this themselves. That law thus defines constitutional right to a speady contempts-trial is held in abeyance. For "First-II ment against them, and that on the execution and approval of such bends by this Court, that an order trial is held in absyance. For what reason, the public can only guess. Notwithstanding the fact that the court for the district has been in session most of the time since, and for a large part of that time almost incessantly, yet here, SUTHEBLAND & BATES, Counsellors for Petitioners. February 5th, 1875. time almost incessantly, yet here, I alone am solely responsible there for, and Judge Sutherland is inno-"Second-A breach of the peace a respected citizen, a county offiboisterous conduct or violent discial, charged with a high crime, which the defence declare them-selves abundantly able to prove was not a crime, but a justifiable of a trial or other judicial proceed-ing. cent of all connection with the RDER TO SHOW CAUSE WHY SUTH matter. That petition prayed on behalf of the defendants, the privilege of giving, by their priends, bonds to be approved by Judge Boreman, in \$10,000 for each defendant, condi-tional, that such defendant should voluntarily appear at the next of ERLAND & BATES SHOULD NOT BE PUNISHED AND DISEARRED. TERRITORY OF UTAR, Second Judicial District. 35. and indeed duty-compelled act on "Third-Disobedience or resist In the District Court for the Sec-ond Judicial District of Utah the part of the defendant, is imance to any lawful writ, order, rule, mured in a dungeon for between four and five months already, with even yet no satisfactory prespect of "Fourth-Disobedience of a sub-In the District Court for the Sec-ond Judicial District of Utah Territory. In the matter of J. G. Sutherland and George C. Bates, Attorneys at Law. Ordered, that J. G. Sutherland and George C. Bates, be and appear before the District Court of the Second Judicial District of Utah Territory, on the first day of the next term thereof, to be begun and holden at Beaver City in said dis-trict, on Monday the 5th day of April next, to show cause why they and each of them should not be even yet no satisfactory prespect of that speedy and impartial trial sworn or answer as a witness. which the Constitution guarantees, irrespective of religious or political "Frih-Rescuing any person or property, in the custody of an officer, by virtue of an order of proleanings, or party bias of any kind. cess of such Court, or Judge at During much of these four or five Chambers. menths, civil cases, which the con-"Sixth—Disobedience to the order or direction of the Court, made pending the trial of an action, in speaking to or in the presence of a stitution does not so expressly guarantee a speedy adjudication, have occupied the attention and and each of them should not be punished as for contempt, and be prohibited from practising their profession in said court, by reason of their professional misconduct, or uncertainty of their arrest. "My time of the court, while eriminal juror, concerning an action in cases, as in this instance, which cases are guaranteed speedy trial, have been postponed. Juror has been impan-elled to determine, or in any manner approaching or interfering with the intent to influence his of their professional misconduct, and delinquency, and insolent be-havior in asking the Judge of said Court to hold communication with alleged felons, now out of the Ter-ritory, and fleeing from justice and concealed from the officers of the law; in asking the Judge to violate the law and prejudge whether such alleged felons be entitled to give bail when they are not before the judge nor in charge of any officer. In the Second District Court, too, verdict. not only have criminal cases been The petition, etc., was sent to postponed, but the term of court the Judge of the Second District, itself has been postponed, leaving citizens indicted and in prison and in irons, not only without speedy trial, but with the prospect of be-ing immured in a dungeon for half ng immuned in a durgeon for half year, if not more. Meanting the public, which, as the public which is a proof of the form interested in a speedy and im-partial administration of justice as continuitional law, is beginning to constitutional law, is beginning to the second public durgeon in the sec judge nor in charge of any officer, and when they declare they will not submit to the order of the court,

a speedy and impartial trial it nat-without the consent of the Court; court, and prohibited from practisurally falls upon the bench to en-force that right, and see that it is enjoyed by the accused, and not to permit dilatory excuses, whether of sickness or anything else, to de-prive the accused of his right. ing therein, and learning that the case is first to be heard and decided as usual, through a newspaper, I make this statement of the facts, leaving the people of Utah to decide whether I am guilty or innocent of the charges preferred against me; and having now obtained the en-closed petition which provoked the judicial order I will shortly make answer and show cause both to the court and the country. This conduct in the Bench would now here proffered, all costs and with the Constitution and expenses of their capture and arrest with Blackstone, according to whom it is an acknowledged decla-ration of the law, "that the judge will be saved to the Territory and the ends of justice subserved by their attendance for trial, which they and each of them solemnly to the court and the country-

On the 9th of December, 1874, J received a letter from eight persons outside of and beyond the jurisdicings against him are legal and amount of bail to be given by amount of bail to be given by them and each of them for their voluntary surrender for trial at the next term of this court, and that 16, 1857, from which I extract:

ed by said Court, that the Court will order that no warrant of arrest torneys of this city, were served shall be issued against them or either of them, or if now iswe are charged; but, on the con-trary, have ever been willing and anxious to have such an investiga-tion before a fair-minded and imcarot, the French painter, is from the Second Judicial District forthwith revoked on the completion of said bond or recognizpartial court and jury. We are now anxious for a fair and speedy And your orators will ever pray. TERRITORY OF UTAH, 38. trial of our cause. If there be any

chance for a speedy and impartial trial, we will pledge our honor to be and appear in any court of jus-tice and meet all charges that may These gentlemen are charged saith that he hath heard the foregoing petition and knows the conbe preferred against us.

with, briefly, professional miscon-duct, delinquency, and insolent be-havior, in forwarding to the Judge of said district the petition of six Acting on this retainer I went south, had several interviews with -Fire did \$70,000 damage, yes. terday, at Emporium, Pa. --From May next the tariff on cable messages, from New York to England and France, will be fitty cents gold per word. mit themselves to legal custody and go to trial.

arrest, and to ensure either their

attendance or \$100,000 being paid

into the Second District court at

Beaver county. Returning to Bea-ver, I laid the proposition before the assistant U.S. district attorney,

and he at once referred me to the

statute, that in capital cases, after

they were beyond the jurisdiction of the court; and that bonds for their

voluntary appearance, before arrest, would be iswful and valid, as I

have no doubt they would be. As-sistant District Attorney Wheedon

finally advised me to apply to Judge Boreman, saying whatever order he might make would be sat-isfactory to him. Having no time

Sworn to and subscribed before me this 2nd day of February, 1875. J. H. BEADLE, Clerk of the Supreme Court of Utab Territory. I learned there that unexceptionable bonds for \$100,000 would be cheerfully given by their friends, that each one of these defendants-then beyond the jurisdiction of Utah — would voluntarily appear whenever needed for trial, provided they were permitted so to do. The effect of this would be to save all expenses and trouble as to their

Hon. Mr. Boreman. Associate Jus

Salt Lake County.

them. Documents published else-DEAR SIR-We herewith hand you for consideration a Petition which tells its own story; We are prepared and now offer to give bonds in \$10,000 each for the prompt loss to understand wherein their loss to understand wherein their voluntary appearance of each of action complained of can be con- the defendants whenever they are strued into contempt. It cannot be in presenting the petition, be-cause the right of petition is a con-the expenses of the capture and re-turn here. They are ready for trial to-day, but will not come and go to-day, but will not come and go to day, but will not come and go to day answer was, that these defendants were not arrested; that strued into contempt. It cannot needed for trial, and thus save all THE Constitution of the United erally held to be "either direct, as walting trial. Should you consent

ADVERIUSEMENTS NEW

THE STOCK of GENTLE-MEN'S FURNISHING GOODS, French Cassimeres, and other MERCHANDISE heretofore carried by our Clothing Dep't, has been transferred to the Wholesale Dry Goods Dep't, under the charge of H. S. BEATIE.

This Stock comprises an **ENDLESS** Variety of Gentlemen's Furnishing Goods, Men's and Boys' Ready-Made Clothing in all grades, and many remnants of French and English Cassimeres, principally SPRING STYLES, all of which, being of a better grade than our Wholesale Trade requires, will be JOB-BED OFF AT UNUSUAL-LY LOW FIGURES. MERCHANT TAILORS desiring to sort up their stocks, or any Gentleman wishing a Fashionable Outfit at a Low Price, will do well to call and examine these goods. W. H. HOOPER, ___

12 CONTRACTOR AND STRUCTURE



TUST RECEIVED, at Liddell & Brown's Scotch Store, a fresh shipment of Moir & Son's Aberdeen

Fresh Herring. Reller's Dundee Marmalade, Finnan Haddies. Yarmouth Bloaters, Edinburgh Cat Meal and Oat Meal Grits, L. Rose & Co's Leith Lime Juice.

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WE KREP THE FINEST AND BEST ASSORTMEN Of GROCERIES in the city, and sell at the

LOWEST PRICES!

SALT LAKE CITY, UTAH, & Feb. 5th, 1875. tice:

TERRITORY OF UTAH, 1 88.

in giving such bonds, to be approv-"We wish to engage you as ou counsel. We have never evaded nor sought to evade a fair investigation of the crimes with which

Carl C. Asmussen, THE UNDERSIGNED NOTIFIES THE TRADE THAT OPPOSITE THE POST OFFICE, WILL make a most determined effort to dishe has been exclusively engaged in the Hat, Cap, Boot and LIQUID BLUEING. Shoe business for the last twenty-five years, and he wishes to ot be beat, privilege maing one-dourth of Home-made, and cannot be beat, pr riven to return it after using one-for the bottle, if not suited for ink or call your attention to the fact, that in order to serve the trade be compelled to lie in prison a long and indefinite time without trial and without the prospect of trial? The public will talk, and interro-gatories of this nature the public is continually putting to itself, and we are only publishing the common talk of the streets when we publish this. For the honor and good name of the Territory it is to be hoped this season, he has made very large purchases in the above lines, non se All kinds of pay laken tion of said parties prepared by said XANAGEB | OF ALLEGHANLANS. and will keep the stock full through the season. Any orders attorneys and in the letter of said attorneys, which accompanied said petition and motion, which said JNO. W. SNELL e Best in the Worl that the trade may favor him with will have prompt and careful T. Bulguist. C. Cottle, C. Kunda petition and motion, which said petition, motion and letters have been sent by saif altorneys to the Judge of said Courf, and are now on file in the clerk's office of said attention, and at the very lowest prices. He hopes, by strict 10 internation of 1 NEW CO-OPERATIV THE W. of Just itention in above specialties, and not interfering in his neighbors' business, to merit a portion of the patrorage of the trade. trict Court. District Court. Ordered further, that a copy of the above order be served upon each of said attorneys and that theil showings in answer thereto by made in writing and separately and filed with the Clerk on or be fore the day on which they are re quired therein to answer. Done in vacation this 15th day of February, A: D., 1875, at Beave i i (n) Respectfully, of the Territory it is to be hoped that circumstances judicial will not are now ready for trial on said in-SHOP. AT 1 GEORGE DUNFORD. ctments, and will promptly ap-ar in said Court for trial in ac-ordance with law, whenever the FOCALISTS All kinds of Blacksmithis continue to be of a character to cause the public to believe that the indictment and arrest of citizens ing, Carurt is ready to proceed to the HORSE-SHOEING. OD ese defendants fu have families de The BEST and CHEAPEST IN TOWN affiliated with certain classes of the February, A. D., 1875, at Beaven City, Utah Territory, as witness my hand, Pore GANNES community mean really a greating prolonged and indefinite term of close incarceration within the cells of the common jall with convicted Uneap CAN half fouth of the Theatre. them for their support, and that to be imprisoned in a military prison, or in a penitentiary, while the law presumes them to be imporent, CORNECOPIAS Five Nights dge of the District Court for the Second Judicial Obtrict of Utah Territory. CANDY TOYS you'd not only feave the to suffer, but deprive the felons. It is difficult to see how any thing of this kind say conduce didaman BRAISINS. Chas, Rusppele & Co., CURBANTS, AVOR IM to the execution of the laws, to the administration of justice, or to the ATURDAY MATINEE signed by Scintors FIGS terms W 0 gam - AT CA BID. HT HOT 1. 4 14 18 a inegation public weal. SALT LAKE CITY. and Dealers in TUESDAY EVE, Feb. 23 AND LEMONS Magonactig entry It is the duty of the public prose 187 Jas Feb. 24th, 1875. Jan BIR RAAD cutor to prossouts, socarding to law, for offences against the law, and we do not intimate that this post-ponement is substantially any of his doing. When the constitution TIME-DOORS OPEN AT TH to the Public: Having Yesterday been served with an order from the Second Judicial District Court to appear on the first Monday of April, 1875, at WALLAGE'S. ASLDPS 国立に獲し、職用日田田福岡 his doing. When the con Purshasers (notied his doing. When the constitution voluntary appearance at its next the first Monday of April, 1875, at BOX OFFICE now open provides for the accused a right to term, for trial at that time; that Heaver, to show cause why I should for the sale of Reserved Seats. SAINT LOUIS, MO OPPOSITE THE POST OFFICE. ML 1y

BAIN



Frates Outy.

AN

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ELRY

FREIGHT, FARM, ORE & LIGHT SPRING WAGONS OF ALL SIZES AND STYLES. Wagon Material and Hard Wood, The Most Complete Stock and Carefully Selected in Utah.

Walter A. Wood Mowing and Reaping Machines; Paddock Sulky Hay Lake, the Best in the United States; a Full Stock of SHOEMAKER. the Celebrated Goan and Ten Brocks Concord Buggies and Carriages; the best and Most Improved Plows and Harrows, Corn Cultivators, etc. I guarantee all I sell to give satisf

prepared to make good wagons as he is for this season; and that he will send a better

wagon now to Utah than he ever did before. Call and see my stock constantly arriving

of the various kinds of the



For COARSE AND FINE SALT, Su cond-hand Wagons,one Mule, two Horses lothing, Cloth, Pottery, Lime, Cedar osts, Wood, Kindling Wood, Groceries

BORING and FIFTING UP John Johnson, MEDOT M WM. J. SILVER topers made, from \$3.00 to \$25.00 Half Block South of R. R. Depot per pair. TANDAL AT THE GILDED BOOT, MAIN ST. N.B.-Drawings, Plans and Opposite McKimmin's Stables. Specifications of all kinds of Millpork and Machinery.

