the south, and quickly veered round till it came directly from the east. By the sudden gust the fire was carried out of a stove that was outside the house and scattered over the stackyard, starting flames in six different places. Luckily Mrs. Bateman was in the yard at the time and succeeded, by great exertion in extinguishing the fire. When the work was completed she could scarcely stand from exhaustion. But for the lady's presence of mind and rapid efforts forty tons of hay, three hundred bushels of wheat and perhaps the entire premises would have been destroyed.

Another Victim.—A week ago last Thursday William George Sharp, aged ten years, of North Jordan, was in this city with his parents. Walking down the west side of East Temple Street he was accosted by another boy who had a toy pistol, and proposed to sell it to him. In passing the article from one to the other it was discharged and little Willie Sharp was wounded in the palm of the left hand. The wound appeared to do well and healed up in a few days. Last Thursday, however, he was attacked with lockjaw. He was brought into the city yesterday and placed in St. Mary's Hospital, where he died this morning. Thus has one more been added to the list of toy-pistol victims. Every instance of the kind is a forcible plea for the suppression of the dangerous plaything. A law should be made for the purpose. This action has been taken in several parts of the country and why not here? This time a distressed father and mother have been robbed of their only child.

Moral Sentiment.—"Polygamy shocks the moral sense of the nation and must be crushed out." This is a common phrase in the mouths of anti-"Mormons," and is used as a transparent excuse to accomplish political ends. Not only have polygamists been disfranchised, the only class intended by the law to be placed under political disabilities, but people who have never broken any law of the land prohibiting polygamy, and who to all appearance practically abandoned it before any such law was framed, are deprived of their rights.

In contra-distinction to this unjust and illegal treatment of "Mormons" is the fact that during the past week notorious prostitutes have walked up to the registrars and had their names placed upon the lists of eligible voters. The "Liberal" sticklers for moral and political purity need the assistance of the refuse of society to assist them in their dishonest designs.

Great is the moral sense of the "Liberal" party and great is the hypocrisy necessary to bolster it.

FRO M MONDAY'S DAILY SEPT. 13.

Book of Mormon.—Parties wishing to purchase the Book of Mormon can procure it at this office; we have now another supply on hand.

The County Clerkship.—We understand that William Nelson, an "appointee" of the Governor to the Clerkship of Salt Lake County has been making inquiries in regard to the amount of the bond necessary to be filed by a person filling that office.

The Immigrants.—By telegram to President John Taylor, we learn that the company of immigrants in charge of Elder Wm. Cooper, left Omaha yesterday (Sunday) morning on a special train for the West. They will probably reach here tomorrow night or Wednesday morning.

Great Musical Treat.—A grand concert is in contemplation for the benefit of the Deseret Sunday School Union, to be held in the Large Tabernacle, Salt Lake City, on Friday, October 6th. Look out for a rich treat by 400 Sunday school children, now under course of training by Mr. Evan Stephens.

Priesthood Meeting.—The next regular monthly meeting of the Priesthood of the Salt Lake Stake of Zion will be held on the last Saturday in September, (30th inst.), beginning at 11 a.m., in the Salt Lake Assembly Hall.

WM. W. TAYLOR,
Clerk of Stake.

Wants to Hear.—We have received a note stating that Samuel Turnbow, or any of his children, of this city, will confer a great favor upon the children of his brother, Joseph Turnbow, by communicating with Mr. Pleasant C. Turnbow, Troup, Smith County, Texas; or Mrs. Frank Knight, George's Camp, Jones County, Miss.

Twelfth Ward Bishopric.—The First Presidency of the Church and Presidency of the Salt Lake Stake attended the Twelfth Ward meeting last evening. Hyrum B. Clawson was appointed, ordained and set apart as Bishop of the Ward, successor to the late Bishop A. C. Pyper. John Druce and Martin Lenzi, formerly Counselors to Bishop Pyper, were selected for Counselors to Bishop Clawson.

A Troublesome Tramp.—On Saturday night a dilapidated tramp entered the house of Mr. Jenkins, a few miles southwest of the city, during the absence of male members of the household. He demanded food, which was given him by Mrs. Jenkins. He asked the lady where her husband was; said he had escaped from prison, and talked and acted so as to cause Mrs. Jenkins great uneasiness. Finally a male member of the family arrived and Mr. Tramp was unceremoniously sent off. He proceeded to the railroad track and took to the congenial occupation of "counting ties."

Fell from a Building. — This morning Hyrum Mikesell, aged about 23 years, while at work in the upper portion of the new paper mill on Big Cottonwood, slipped from a joist and fell through, going clear to the cellar, descending probably a distance of twenty feet. He sustained severe bruises about the side, and his head and face were badly injured, besides a badly sprained ankle. He was brought to town by Mr. Milo Andrus in his carriage, and taken to his residence in the Twenty-first Ward. As he had not been surgically examined at last accounts the full extent of his injuries was not known.

Registration.—Registration closed on Saturday throughout the Territory In this city the result of the week's work was as follows:

First precinct, 1,030; 2nd precinct, 1,431; 3d precinct, 957; 4th precinct, 673; 5th precinct, 1,147; total, 5,238.

We have received reports from the following precincts of Cache county: Logan, Thomas Rowland deputy registrar, number registered, 781. Smithfield, number registered, 273. Mendon, number registered, 156.

From Davis County we have Kaysville, where, 370 registered. Farmington, Walter Walker, deputy registrar, number registered 203.

We have some reports from Utah County.

Pleasant Grove—Number registered, 370.

Spanish Fork—A correspondent writes:

Nearly every person entitled has been registered. The number up to date, 2 p.m., is about 525; 15 or 20 more are expected to register before the close. Liberal names may reach 13. Everything is quiet. The registrar here is a gentleman.

Springville—Number registered, 522. About a hundred eligible persons were absent at work on the Denver & Rio Grande Western R. R., and consequently could not register.

THE WOMAN SUFFRAGE CASE.

In the Third District Court, today, at 1 o'clock p. m., a case on writ of mandamus was brought before their Honors Chief Justice Hunter and Associate Judge Emerson, for the purpose of requiring Deputy Registrar Showell to show cause why he refused to allow Mrs. Wescott to register as a voter in his precinct, the said Mrs Wescott claiming to have all the necessary qualifications entitling her to be registered.

This, as previously announced, was a case to test the validity of the act of 1870 conferring upon the women of Utah the elective franchise.

On behalf of the ladies there appeared Messrs. Harkness and Kirkpatrick, Arthur Brown, F. S. Richards, W. S. Dusenbury, R. K. Williams, etc; and on behalf of the plaintiff, Messrs. Sutherland and McBride, Marshall and Royle, Jonasson, etc.

The court announced that in consequence of Judge Emerson's urgent desire to return to Ogden in the morning, four hours would be allowed for the arguments, the time to be divided amongst counsel as they might decide.

Mr. Sutherland proceeded with his argument, as follows: He said they affirmed that the Act of 1870, entitled, "An Act conferring upon women the elective franchise" is void. And they contended (1) that the passage of that law was by the exercise of a power of legislation prohibited to the Territorial Legislature by the Organic Act and other Acts of Congress applicable to this Territory. He referred to sections 1859 and 1860 of the federal revisions; these were incorporated in the Utah compilation on page 40. Section 1859 was as follows:—"Every male citizen above the age of twenty-one, including persons who have legally declared their intention to become citizens in any Territory hereafter organized, and who are actual residents of such Territory at the time of the organization thereof, shall be entitled to vote at the first election of such Territory, and to hold any office therein, subject, nevertheless, to the limitations specified in the next section." That section, the Judge contended, referred only to *the first election*, and it stated who might vote at that election. And what was important in support of his position was the concluding clause of the section, and the contents of the section following referred to in that clause, viz, "Subject, nevertheless, to the limitations specified in the next section." That was added to the section which defined the qualifications of voters at the first election. It might be supposed from a bare reading of that section, and this concluding clause, that in the next section there would be some qualification, some restrictions upon the right to vote at the first election; that would be the natural reading of it. But when they came to read the section 1860, there was not any allusion at all to the qualifications of voters at the first election; there was no limitation on the right to vote and hold office so absolutely granted in section 1859. But the next section applied exclusively to subsequent elections, and to the power of the Legislative Assembly to define the qualifications of voters and of persons to hold office. Now what must be the force and effect of adding that clause for the purpose followed by such a section—to the section which applied exclusively to the first election? Now, it was a well known rule of further construction of statutes, that every part of it, every word of it, was to have a meaning. The authorities upon that subject were very numerous. The Judge referred to one or two authorities on this point and continued by saying that the meaning of those authorities was, that in reading a statute the court must regard all the clauses in that statute, and it must be assumed to begin with, that every word of that statute is used advisely for some effect, and that the intention of the Legislature could not be carried out without giving effect to every word and clause in it. Now, with that rule he invited their Honors' attention to the necessary effect of the words, "Subject, nevertheless, to the limitations specified in the next section." What is there in the section 1859 that is made subject to the provisions of the next section? The court must find that out in order to be able to give force and effect to that clause. Now, there was something in that section that was subject to the limitations specified in the next section. The right to vote at the first election was not subject to this provision. Why? Because the next section was expressly confined to subsequent elections, namely; "At all subsequent elections, however, in any Territory hereafter organized by Congress, as well as at all elections in Territories already organized, the qualifications of voters and of holding office shall be such as may be prescribed by the Legislative Assembly of each Territory; subject, nevertheless, to the following restrictions on the power of the Legislative Assembly, namely,"—and the balance of the section contains an enumeration of certain persons that shall not be excluded, and all persons that shall be excluded; so that the whole section relates necessarily and expressly and exclusively to "subsequent elections." There was nothing in that section which qualified the right of any person named in section 1859 to vote at the first election, and yet in order to give that clause effect, there was something in that section which was affected by the provisions following, or, otherwise that clause was meaningless. Now, what was it? It was the right to vote and hold office in the Territory without regard to the elections, or at subsequent elections; the right of male citizens 21 years of age to vote and hold office at subsequent elections. The right of those persons to vote was the exclusive subject of "the next section." It followed therefore, necessarily, it followed with mathematical certainty, that when a Legislative Assembly exercised the power granted by section 1860, it legislated in a manner characterized by the word "limitation," and by way of qualifying the right of voting and holding office mentioned in section 1859; therefore both sections related to the same persons, the same voters, the same candidates for holding office, male citizens 21 years of age. He contended (2)—and this point was entirely independent of the other—that it was not the intention of Congress in passing the Organic Act, and in passing the acts from which he had quoted, to authorize the Legislative Assembly to grant the elective franchise to females. That intention was very forcibly suggested by section 1859, which was made applicable to all Territories. Congress expressly confined the elective franchise to male citizens over 21 years of age. There was not a foot of land within the dominion of the government over which Congress has ever legislated for a woman, or any action of Congress by which she has been permitted to vote. There is no court held under the Constitution in the exercise even of powers granted by acts of Congress where women has been admitted to any of the privileges of a voting citizen. They have not even been permitted to practice law. Therefore there is nothing that has ever been done by Congress or by the Federal Government to suggest any intention of the General Government to extend the franchise to females.

Judge Merritt: Is Mrs. Belva Lockwood not allowed to practice law?

Judge Brown: Yes; she is permitted to practice in the Supreme Court, and the power permitting her to do so was granted by the Legislature.

Judge Sutherland—Well, that is of late. But at the time these acts were passed female suffrage was struggling for the attention of politicians, and the only effect of the movement in favor of woman suffrage was to demoralize politicians and statesmen, and he did not know what others.

Judge Brown—Lawyers.

Judge Sutherland—Yes, lawyers.

Judge Brown—Sutherland & McBride.

Judge Sutherland—Perhaps it has had some effect upon us. This question had been struggling for attention and recognition; but it would not be contended for a moment that in 1850 the idea of granting the ballot to females occurred to the mind of Congress. There was no evidence to show that Congress ever had any such intention. And (3) the Judge contended that even if it could be deduced from this legislation that that the Legislative Assembly had power to grant the ballot to females, it was not the intention to give to the Legislature the power to grant the ballot to different classes of voters on different terms. In this Territory, where female suffrage exists, it was incumbent that the males must be tax-payers, but that females might vote without paying taxes, and this being the case the Judge argued that the law was not uniform; that Congress never intended to enact laws that did not give the suffrage on equal terms, to do so would be to upset the fundamental maxim of equality and uniformity. This concluded Judge Sutherland's argument.

Mr. Jonasson, on behalf of Mrs. Westcott, occupied the attention of the court some thirty minutes. He referred to 43 Cal.; page 43, to settle the question of practice, and then said: This being a new question in the courts, as to the construction of the statute conferring the franchise on women, of course, there were no authorities from which to quote; but in California, Pennsylvania, Missouri and the District of Columbia, cases had come up under the fourteenth amendment to the Constitution, on the strength of which females claimed the right of suffrage, citing from 21 Wallace, page 170, upon this subject, showing that the Constitution of the United States conferred the franchise upon no one, male nor female. He then argued that if the Constitution did not confer citizenship, and if Congress had never attempted to interfere with the qualifications of voters, the question arose where did they get their right of franchise, and who was intrusted with the power to confer the elective franchise. In the Opinion from which he quoted there were many things, in connection with this, worthy of consideration, going to show that this right was conferred in different ways in different States, and that it was not uniform, as held by opposite counsel, in any one State, the general rule being that a person eligible to citizenship must be over 21 years of age, or he had to have freehold property worth so much, or to be free from other certain disqualifications, and all of which had been referred to in the Opinion from which he quoted. Counsel then referred to the conferring of the franchise in New Jersey without any disqualification as to sexes up to 1807, admitting that in different States there existed property qualifications, and disqualification as to pauperage, etc.

The elective franchise, he said, was not an inherent right, not conferred by the Constitution of the United States, and therefore was not exercised by virtue of citizenship; this right was derived from that power which the people had authorized to make the laws, namely the legislative power, the law-making power, and that only. Counsel then quoted from page 176 of the same authority to sustain this argument; and to show further that the suffrage when once granted must be protected, and that the person having it could not be deprived of it except by due process of law.

In considering the property qualifications of voters, as proscribed by the Compiled Laws of Utah, Counsel asked, if a legal voter over 60 years of age—who at that age was exempt, under the law, from poll tax,—could be disfranchised because he was a non-taxpayer? He held that opposing counsel (Mr. Sutherland), in the line of his argument, held that he would be; and he therefore would submit the question to the Court.

After answering some minor points presented by Mr. Sutherland on the qualifications of voters, counsel reminded the court that it was one of the powers conferred on the Legislature in the Organic Act to legislate on all rightful subjects; he claimed that conferring the franchise on women was a rightful subject to legislate on, and that that body had the power within itself and also the right to prescribe the qualifications of voters, which it had done.

Mr. Merritt, on behalf of the People's Party, followed: He regretted the Court could not devote more time to the hearing of a question of so much importance. He understood that it was not a question of policy, as to whether women ought or ought not to vote, or whether their voting would affect any one political party favorably or another adversely. The question at bar resolved itself into this: (1) Has Congress conferred upon the Legislature of Utah the power to confer upon the women of this Territory the right of suffrage? (2) If the Legislature of Utah was so empowered, has that body conferred that right upon the women of Utah? (3) If it be conceded that Congress did grant that power, has the National Legislature since passed a law restricting that power?

The right of suffrage he did not claim to be inherent; it was a right conferred by the Legislative body under the sovereign power—the Congress of the United States. The Territories of the United States, under the Organic Act, had the power to legislate upon all rightful subjects consistent with the laws of the United States; and as long as there was no infraction of the laws of the United States, he did not suppose that it would be denied by any that the question of suffrage was a rightful question of legislation. Referring to the Revised Statutes of the United States, section 1859, prescribing the qualifications of voters, which had been quoted by counsel of the other side, Mr. Merritt held that that applied specially to the *first* election; that there had to be a first election, and therefore Congress provided for it and it only, leaving of course the Legislative power of this as well as all other Territories organized by Congress, to prescribe what the qualifications of voters should be in all subsequent elections. Opposing counsel held that Congress in thus providing for this first election provided only for male citizens; and that after prescribing their qualifications the law-making power of the Territory had no power

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