Court in the Reynolds case. The grounds on which the application is based, are the improper reception mony in the District Court during the trial; and the unlawful addition by the Judge the words, "at hard labor" in the sentence pronounced. The "assignments of error from the 11th to the 16th"referred to in the petition, all have a bearing upon the first of these points.

that, in answer to the argument of hold aloof, pretending that the the counsel for the plaintiff in error Amelia Jane Schofield at the former trial, repeated by persons who were then present, was not admisbeing that, unless the witness is dead or proven to be outside of the jurisdiction of the Court, evidence by another party of what the witness had formerly testified to is not allowed the Chief Justice replies that no one must be permitted "to take advantage of his own wrong." This appears to be sound reason as well as good law. But its application depends upon the question of fact, whether or not the witness was kept from the court by the action of the defendant. The Chief Justice jumps to the conclusion that is for this: From the record of the every consequence. trial it appears that a deputy marshal testified that he went to Mr. Reynolds' house with a subporna which he had filled up with the THE Washington Capital of the

o'clock next morning the officer Mormon Female:" nolds house, saw his first wife, ask- two Mormon wives standing in testified that he went to Mr. Reyed for the witness wanted, and dangerous proximity to our most was told that she had not been there for three weeks. There-upon the Court admitted three per-House last week. And by the same

defendant?" This might have been Government to ignore territorial inferred by the Court, but inference laws and tear them away from their is not proof. The Chief Justice husbands, and to bastardize their husbands, and to bastardize their husbands. Enough had been preven to children and deprive them of all t the burden upon him (the acdeed! The accused was required to marriages previous to its par prove a negative, was he? Is not would be utterly and absolu

this reversing the rule? If it is as- unconstitutional. ed the witness away, should not the burden of the proof of this be upon the procedulor? The ruling presents so many strained points in favor of the Court below, and in favor of the Court below, and then, would be benefitted by tear. sumed that the accused had spiritassumptions against the appellant, ing them away? How would mor that it is very wide open to strong alily be served by doing so? Would the law beyond due limits, if necessary to dispose of the case suitably to popular prejudice. The addition of the words, "at

the law, and whether intentional like at

ided; but this is a mistake, the rule being that a re-hearing is allowable if the Court so grants, and daton may be reviewed during the term in which it was rendered; for all of which numerous examples night be cited.

IDAHO LEGISLATURE.

FROM the Boise Idahoan of the and inst. we learn that up to that time the Legislature was still in a condition of internal hostility, the House being divided against itself on a party line, twelve Democrats against twelve Republicans, with two additional members not recognized by the latter but accepted by

Chapin, J. C. Rich and H. J. G.

Maxon have issued an address to the citizens of Idaho which is published in the above paper. From this it appears that on the 13th inst., at noon, the time appointed for the opening of the Legislature, fourteen Democratic members and one Republican were present, inside the bar, and two minutes afterwards, by the clock in the hall prepared by the Secretary of the Territory, the Clark of the previous House called to order "the Tenth Session of the Legislature of Idaho." A temporin J. C. Rich and H. J. G.

ary Speaker was elected with other necessary officers, and a committee

When the House was being called to order, several Republican members were in and around the doorway, and were invited to come inside the bar to participate in the WE published last evening the text of the petition for a re-hearing before the United States Supreme Court in the Percent. body and commenced to interrupt, out division. and adjourned from time to time, among other things, in favor of an income tax. The subject was deto give the other members an opthe decision of the highest court portunity of participating in the cil against the proceedings, and also deci

hence the deadlock. out the fraudulent returns from sable in that shape at another trial Raft River, Ross' Fork and under a new indictment, the rule Oneida precincts, the evidence proves that Messrs. Homer and Woodward were clearly elected by a large majority. At Raft River none of the legal formalities were was forged on the poil book. At Ross' Fork and Oneida the election was held on the Fort Hall Reservation. The votes in these three dier and snother part anonymously places were therefore void. This to Whitelaw Reid. The remainder was an old trick of the Oneida ring, which did not work well on this The telegrams of both parties were in bundles and both sides of the

will prove of interest to our friends ever, were more interesting to in Southern Idaho, and will show them. Chandler was given the she was. But there is no proof of this to be found in the record. The benefit of a doubt on this matter is not accorded to the defendant in the trial, who is the plaintiff in the trial assumed in one laid a scheme to hinder processory.

THE "MORMON" QUESTION.

name of Amelia Jane Schobold, and 19th Inst. has the following punon asking for Mary Jane Schefield gent paragraphs on the "Mormon" was informed she was not at home, question. In publishing extracts tion by the Congressional commitand on asking defendant where she from the public journals bearing on tee of the doings of John L. Davenwas, he replied, "That you will this subject, we merely offer them have to find out;" he thought defendant added, "She does not apwithout any endorsement on our decided to make the inquiry very decided to make the inquiry of the control of the public formula bearing on the public formula bearing on the original port, United States commissioner and chief supervisor, at the recent election, was begun to-day. It was decided to make the inquiry personal to the public four that subject, we merely offer them port, United States commissioner and chief supervisor, at the recent election, was begun to-day. It was decided to make the inquiry personal to the control of the control pear in this case."

part. The Capital, whenever it strikes at anything, manages to give pean for Amelia Jane Schofield, it a capital hit. The annexed appropriate the pearling of the pearlin

respectable President Hayes, pleadheard the absent witness state at the former trial.

Now where is the proof that the witness was kept away from the Court by "the voluntary act of the Court

t the burden upon him (the ac-lit has no right to do so. In the sed) of showing that he had not first place, and most emphatically, been instrumental in concealing or the Constitution forbids the passes the witness away." Insage of expost facto laws, and so of the roads that it will become endeed! The accused was required to marriages previous to its passage.

Their next point was that these suspicion of an latention to stretch not only distress, poverty, demorgood answer to this given. Nor can any very good answes be giv-

Congress should see to it that hard labor" is clearly a violation of Utah question, they should do it or otherwise, tends to vitiate the tie. There are many and impe

whether the Court will avail itself of some technical objection to the re-opening of the case, or will give the accused the benefit of a full and impartial presentation of the errors involved therein.

It is thought by some that the Supreme Ceurt of the United States does not grant re-hearings of cases

undoubtedly weaken.

Mrs. Sarah Spencer puts the case in a nut-shell, when she says that the difference between the Mormons and the Christian statesmen is that the Mormons marry In commenting upon the Wome

Suffrage Convention the Capito

nised by the latter but accepted by the former, giving the Democrats a majority; and this seems to be the root of the trouble.

A committee of the Democratic ring, composed of Mesers. George render the multitude of children illegitimate.

BY TELEGRAPH.

EASTERN. Bemocratie Caucus WASHINGTON, 28 .- A joint demoinside the bar to participate in the cratic capcus of senators and repre-proceedings. Instead of doing so, sentatives was held in the hall of one of them entered and led away the House of Representatives last night, Hackburn presiding. The was there. Messrs. Homer and to take action on the question of It would be idle for them to enter-

take their seats, no other credentials having been offered after they
had been publicly called for, in
their order. Half an hour after the
House was called to order the Republican members entered in a
publican members entered in a
The rescuttions were adopted with-

ed to a permanent organization, the fourteen Democratic members being national bank notes.

Coinage of the old sliver dollar and officers. The governor of Guinea a substitution of greenbacks for national bank notes. present, and they have since met Mills offered an amendment,

ferred fer action at a future caucus.

To mero Tax Reduction. The Fenate finance committee five to feur, decided to recommend House was called to order before 12 a reduction of the tobacco tax from and the authorities they quoted, o'clock, and protesting to the Coun- 24 to 20 cents per pound. It was showing that the testimony of all against the proceedings, and also decided to add a clause to the ence the deadlock.

The address shows that, throwing used in the manufacture of plug

> The Sheretary of the Tongon has called for redemption another twenty million 5,20's. The Potter Investigation.

Bond Redemption.

Before the Potter committee, toattended to and a list of names Brady said that he suspected the We give these particulars, as they The democratic telegrams, how-

arror, but it is assumed in one sweeping assertion that he voluntarily kept the witness away. Let us see how much foundation there is for this. From the record of the constant and for this constant are supported by the second of the constant and fearless of the constant and fe nothing in them that he would fear the world seeing.

The Four per cent, Loan. The subscriptions to the four per cent loap, since yesterday's report are \$3,808,100.

Frandulent Voting. naturalisation papers of 1868, and characterized his arrest and treatment as a gross outrage.

Bayard Taylor's Remains. The remains of Bayard Taylor, on arrival here, will be in state in the governor's room in the City

CHICAGO, 28.—Prediction is mad that since the peel on freight from western points to the seabcard, which was lately so carefully elabo-

The Charges against Blodgett. The sub-committee to investigate the dharges against Judge Henry W. Blodgett, of the United States District Court, arrived this morning, and spent the day in deter mining upon the details of the method of procedure. The com-mittee consists of Representatives Knott, Culberson and Lapham. Destructive Tornade.

GALVESTON, 28 .- A News specia says: A tornado struck the town of Leckport, on Sunday evening, demeliating 40 houses, including churches, court house, and Masonio Hall. A child was killed and seve-

Fatal Boiler Explosion. BRADFORD, Pa., 28 -At 7 o'clock sentence.

In view of these points the appellant is justly entitled to a refour miles from Bradford, instantly whether the Court will avail itself no harm to the United States. The John Adds, laborer, and fatally in-

> atructive prairie fire, yesterday, awept over the valley, 20 miles north of this place, burning 500 tons of bay and leveling several ranches to the ground. A heavy gale of wind prevailed, doing much damage in Deadwood Gulch, unroofing houses, uprooting trees and blowing down fences.

CARLENVILLE, Illinois, 28 .- Yessays: terday morning, officers arrived, bringing S. W. Hall, a prominent attorney of Olympia, Washington

Belleville, N. J., 28.—Seven-ty Chinamen, in a laundry here, celebrating the New Year with feasts and sleigh rides, gave a lunch to 100 white women, employees of the laundry, on resumed work on week's festivities. 2171 Min Burned.

Norwich, Conn, 28.—Rawitzer's woollen mill, South Coventry, was

814146 - Josephon FOR EIGN CREAT BRITAIN:

London, 28.—It is estimate one-seventh of the looms and spin-dies in Blackburn are stopped, and that from 4,000 to 5,000 operatives are idle and destitute. The Afgham Trouble.

A dispatch from Helati Ghilgar, Jan. 20th, says: The cavalry occupied this place, yesterday, unopposed. Gen. Stewart, with the whole of the second brigade, will

arrive to-day.

A dispatch dated Matoord, Jan. 22d, says: Gen. Roberts, previous to his temporarily quitting Koost, as-sembled the chiefs and warned them that the British troops would be always near and would return

ed to hindering intercourse with Russia by Austria and Germany, Rebellions Nativ.s.

A Paris dispatch states that rebellious natives of Bolor, in Guinea, have defeated the Portugues and on being called to order arose and filed out. The House proceedfrom Lisbon.

> Another Exploration, Stanley is announced for another African exploration.

Excitement in Moscow Considerable alarm was caused in Moscow by the arrival there, from the plague district, of recruits for the Imperial guard. They were isolated, disinfected, and their clothing burned.

Unemployed Miners. Seven thousand miners 'are idle in Durham county. The distress is unequalled since the great strike in 1844.

A Collision. The store ship Supply, from Havre January 2nd, for the United States, arrived at Madeirs yesterday. She brought the crew of the bark Diadem, abandoned after being in collision with the Supply. The latter is uninjured.

Emancipation of Jews. A Belgrade dispatch says: Bills for the emancipation of the Jews have passed the Skuptschina. They must still pass the great Skupts-

thinese New Year.

The Chinse residents here are celebrating their New Year. Tom

Bullion in Bank. Bullion gone into the Bank of on balance, to day, England.

Consuls, 95; 4; bonds, xty-sevens, 103 ;; bonds ten-forties, 107; new 5's, 107; Erie

Convent Burged. DUBLIN, 28 .- The Mount Si convent, Waterford, was burned by an incendiary.

> CERMANY. the Tebarco Monopoly.

Bealin, 28.—The National Gaz-zette learns, on good authority, that the Russian ministry has pronounced against the tobacco monopoly, and in favor of taxation according to weight, and has charged the minister of finance to prepare a bill giving effect to its views. Rhinderpest.

Fresh outbreaks of rhinderpest are reported in Prussia ITALY-Precautionary Vienaures

Rome, 28 -A rig orous inspection and disinfection of vessels from South Russian Ports is ordered Dying.

Cardinal Arttonucci, Archbishop of Ancon, is dying. FRANCE.

PARIS, 28 .- It is asserted that at today's meeting of the cabinet, President MacMahon declared that he would not yield with regard to the military commands, he rather resign.

WANTED. A GIBL to do chamber work in a l

tinete lists containing from 70 to 100 papers such, or four lines one week in all four of the small lists, or one line one week in all six lists combined, being more than 1,000 papers. We also have lists of papers by States throughout the United States and Canada. Send for our 100 page 1 amphist. Address GEO. P. ROWELL & Co., 13 Spruce St., N Y.

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One roan two ye ar old HEIFER, underbit in each ear, no b rands visible. Which if not civ. imed by Feb. 5th, 1879, at 10 a. m., she wil', be sold to the highest re-





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We are now offering the balance of our STOCK OF WINTER GOODS, such as DRESS GOODS, REPELLANTS, SUITINGS LINSEYS, FLANNELS, HOSIERY and WOOLEN GOODS, CLOAKS, SHAWLS, Etc., Etc., at Extremely Low Figures, in order to CLOSE THEM OUT BEFORE THE ARRIVAL OF SPRING PURCHASES.

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holders of the Utah Southern Railroad Company, for the election of Directors for the ensuing year, will be held at the office of the Descret National Bank, Sait Lake City, Utah Territory, February 15th, 1879, at 11 o'clock a.m. H. S. YOUNG, Sceretary.

SALE. Fighty acres of good farming had cheap for cash, apply to Coope & Dahl, real estate agent, under T. R. Jones' Bank, Main Street.

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WITH GREAT CARE & JUDGMENT, Among our Show will be found One choice, pure bred Durham Cow, a superior animal The fattest beef, without exception, ever slaughtered in Utah. Fed by
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