## EVENING NEWS.

- i-Jan, 26, 1882. Thursday,

law, will be felt in other places be-sides Utah, and among other than never have been "dangerous." He To establish murder it had to be

the District of Columbia, and com- musity to fight for their bad and was caused with malice storepel loose and lascivious Congress- donined cause. men to narrow the field of their amours. It applies to "Gentiles" equally with "Mormons," and to all

other Territories as well as this It will not answer the purpose de-

signed in the case of men who cohabit with one. If the statement

made by the enemies of the "Mormons" be true, that polygamists forsake the older wife to live with the

new one, this section will not touch the polygamy question except to en-courage this improper partiality. "Mormon" plural marriage does not teach or contamplate any such inthe polygamy question except to enteach or contemplate any such injustice towards either wife. It inor wife living, who in a Territory or other place over which the United States have exclusive jurisdiction, oulcates kindn ss, fairness, union, forbearance, and equal marriage hereafter marries another, whether married or single, and any man who rights. But this section of the bill encourages men who have more hereafter simultancously or on the wives than one to live with only the same day marries more than one woman, in a Territory or other place over which the United States one, thus forsaking the others so far as marital relations are concerned. as marital relations are concerned. It is a little more sweeping in its of polygamy, and shall be punished application than will be relished by by a fine of not more than \$500 and

"Gentile" anti-"Mormons," many imprisonnie... for a term of not more of the most active of whom, while than five years. of the most active of whom, while The remainder of this section of making a terrible noise about plural the Revised Statutes excepts divor-

tion of the innocent from injustice manded to poll the jury, which THE UTAH DELEGATE. THE Following description of Hon. their faithful observance that guilt FORMERED DAILT, SUNDAYS EXCEPTED. AL George Q. Cannon, Delegate to Can- or innocence could be fairly ascerand each in a firm voice promptly responded, "Guilty." As the last name was called, the 

more than a brief notice. The indi person of the accusel.

lips, called out in tones of despera-tion-"God will avenge this outa better acquaintance, is entitled to stitution had been, violated in the

in juror was called

 

Thursday,
Jan. 26, 1837.

ANTI-"MORMON" LEGISLA, TIDN".
The high and elemanetic this of the present of usuasion of ascanne this for the present of usuasion.
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this-"God will average this 'out".

ANTI-"MORMON" LEGISLA, TIDN".
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this daw place rending the present of usuasion.
The present of usuasion. viduality and characteri this of the Before proceeding further he rage."

fects of this section, should it become he been like Brigham Young, whom to newspaper opinion was not to be within which to move in arrest of

judgment. With this announcement the sides Utah, and among other than makes many friends, and he is the proved, first, that death was caused court was declared adjourned, the married persons. It will operate in test fitted of all the 'Mormon'' com- by the act of accused, and further, it famous trial which has 'absorbed by the act-of accused, and further, it public intersit und attention for thought. That did not mean, hew-ever, that Government had to prove any ill will or hatred on the part of the accused toward the deceased. with his manacled hands was led Wherever homicide was shown to out, as he passed the reporter's have been committed without lawful table he leaned over and called out authority and with deliberate intent to an acquaintance, "The court in it was sufficiently proved to have bane will reverse this business."His been done with malice aforethought, appearance was that of a man deeply have married plural wives but only COMABITING WITH MORE THAN and malice was not disproved by moved with indianation at some howing that the accused had no outrage or indignity which had been personal ill will towards the deceas-ed an i that he killed from other in the van the crowd of men and boys motives. The jury would have to yelled and shouted themselves WASHINGTON, 24. - The anti-polygamy bill reported by Edmunds from the indiciary committee, to assassin must have a reasonably with me.'

sane mind; in technical terms he must be "of sound mind, memory and followed till out of sight, by the and discretion," any irresponsibly jeers and yells of the crowd. Scoville insane man could not commit murwill probably file a motion in arrest der. If he was labering under di-sease of the mental faculties to such an extent that he did not know fendant four days to file a motion what he was doing, or knew it was and reasons for a new trial, and it wrong, then he was wanting in that is customary for the court to sit some sound mind, memory and discretion that was part of the definition of murder. Every defendant was pre- will appeal to the general sumed to be innocent until the ac- term and under the law, the defendcusation against him was establish- ant is entitled to a supervision of the ed by proof. Notwithstanding this presumption of innocence, it was equally true that defendant was presumed to be sane and to have general term is now in session, and been so at the time the crime was the case cannot go there, but will be committed. The burden of proof as appealable to the April term. It is marriage are themselves guilty of ced persons and such as have mar-much more than plural cohabita-tion. All right. Its a poor rule third sections of the bill are as fol-that only works one way, and if the



they are to be had pure and whole



d CARES -

H. ARNOLD.



With the following brilliant array of talen will appear: Madame Newton, Miss Aggie Sherman. Mrs. Ashley, Willard Weihe,

H. J. Krouse, John S. Lindsuy, and the irrepressible John P. Meakin.

Some choice Selections will be rendered. by the

APPOLO GLEE CLUB. Mr. H. S. Krouse, Vocal Conductor. the M sie for the Ball will be furnish d by the CARELESS ORCHESIRA.

prota'ors' Tickets for admission to the Scircial, \$1 each, obtainable at the Thea-tre on the day and evening of the Entertainment. NO RESERVED SEATS.

Judge Turner,

C. O. King, P S. Scott, ' W. H. Hunt,

MUSICAL COMMITTEE.

VLOOR COMMITTER.

FOR SALE !

-THE-

BUTCHER.

GENERAL REDUCTION WINTER GOODS Zion's Co-operative Mercantile Institution, TO MAKE ROOM FOR SPRING PURCHASES! WM. JENNINGS, Superintendent. NOTICE



T A SESSION OF THE COUNTY COURT A for said County, held January 17th, 183, upon consideration of a petition of many citi-zens, herein filed, praying for the organiza-tion of an irrigation District, on the East side of Jordan hiver for the purposes there-in set forth, it was ordered as follows:

That all that part of Salt Lake County, de-soribed in said totition. lying and being in Mill Creek and Farmer's Precincis, between the river Jordan on the West side, and the Denver and Rio Grande Railroad on the East, and extending North from Mill Creek or Mill Creek Canal so called, to the South line of salt Lake City Corporation, te, and the same is hereby organized or established an Irriga-

lash is to be applied by the "moral- lows: ity" fanatics, let it be laid on all round, and the stripes be dealt out to those who cohabit muchly without marriage, equally with those habits with more than one woman who marry all the women they live he shall be deemed guilty of a mis-

with more than one wife or believe it right to do so, merely fix by law the practice already working in the Utah courts, which Senator Ed-munds and the judiciary committee munds and the judiciary committee do not seem to understand. It is a matter of little consequence to us, but of considerable moment to the nation. For mark it! if laws can be enacted which make matters of be-lief disqualifications for office in one case, they can be in others, and thus the constitutional provision that "no religious test shall ever be required as a qualification to any office of public trust," will be violated and finally come to be repudiated and public trust," will be violated and finally come to be repudiated and despised. This whole crusade is in-spired by religious bigotry. Let it succeed in this manner against one society through the intolerance of others, and who can tell where it will stop cr which will be the next to come under the ban of the law as well as of regiarianism?

well as of rectarianism? The fifth section, in regard to am-nesty for the past, amounts to no more than a sprig of geranium er a prize package of conditions thereof shall be complied with. Sec. 6.—That the issue of bigam-

more than a sping of geranium of a prize package of candy. The concluding sections are sim-dly spiteful, unstatesmanlike and utterly subversive of republicanism. And they would be found, if Con-gress should be so unbalanced by the din of the fanatics as to pass them, to have little or no effect in the di-rection sought. They are designed to work into the hands of the plot-ters who are aiming for control of to work into the hands of the plot-ters who are aiming for control of the Territory and its finances; to bar out the majority from voting and holding office, and give the minority the power to grasp the reins and the treasure box. Here is a Territory having as good

Here is a Territory having as good election laws as can be found any-where in the country, operating peacefully and harmoniously on the general principle that the majority rules; with an Assembly elected by the people, passing no have except those in conformity with the Organ. Is Act and the laws of the United States; and yet the proposition is made by a Committee of the United States; and yet the proposition is made by a Committee of the United States; and yet the proposition is made by a Committee of the United States; and yet the proposition is and confirmed by the Benate, each states States Senate to abrogate these laws and put all election powers into the hands of five men appointed by the cimen of republicanism in the year eighty-two! It is evident that all the genite-singlify two is and the first meeting of the provisions of this "Mormon" bills in either House, during the present session of Con-gress, are unfamiliar with the furue-ging the destate with the furue-ging the destate and confirmed by the Benate, each and confirmed by the Benate, each and every daty relating to the regis-in the exception of one or two elections, the receiving of objections in conclusion, it is provided that as is a pretty spe-cimen of republicanism in the year is all have been elected and return ed according to the provisions of this atill a seving to the provisions of the is all have been elected and return ed according to the provisions of this atil as each and seging to the provisions of this at a set of the first meeting of add leg-intent who have presented "anti-ed according to the provisions of this "Mormon" bills in either House, during the present session of Con-gress, are unfamiliar with the furue-grituation and are influenced and the session of con-eriting the present session of Con-gress, are unfamiliar with the furue-grituation and are influenced and the the first meeting of the provisions of this inconsistent with other have so the face was observable as the threy back his head and face which the jury was more in need of a reform and set of a left form a face from the face was observable as the threy back his head and face for the fac general principle that the majority | The eight and last section of the

benefit of that doubt and to acquit-

tal. Doubt, however, must be sincere and fortified by proofs and tes-timony. The jury should be rea-sonably and morally certain of the facts which they declared to be their who marry all the women they live with. The succeeding provisions, exclud-ing from juries all persons who live demeanor, and on conviction thereof shall be punished by a fine of not more than \$300 or by imprisonment for not more than six months, or by verdict. There was no question about the firing of the shot, its producing death, (and, providing the defendant was capable of criminal intent, or a maniac,) of its malice aforethought. The prisoner's own

SENATOR EDMUNDS' BILL.

DEFINING FOLYGAMY AND PRE

NCRIBING THE PENAL-

OME WOMAN A MISDEMEANOR.

COMMITTEE OF 5 TO SUPER-VISE ALL ELECTIONS.

"Every person who has a husband

TIES.

hand has written that he contemplated the removal of the President six weeks before. The shooting had been deliberately planned and prepared for. These things established

malice. Nevertheless, it ani-mosity were established, the jury was not to infer that the prisoner was insane because he committed this enormous crime. The only safe rule, was for the jury to direct its attention to one test of criminal responsibility, namely, whether the prisoner possessed men-tal capacity at the time the act was committed, to know that it was wrong, or whether he was deprived of that capacity by mental disease. There was one important distinction which the jury must not lose sight of, and they must decide how far it was applicable to this case. That

was the distinction between mental the first and consequently did not and moral obliquity; between men-tal incapacity to distinguish bety een right and wrong and moral insensi-bility to that distinction. And now the prisoner was laboring under such

defect of his reason that he was inshould be now acquitted. If on the other hand you find he was under no insane delusion but had possession of his faculties and had power to know his act was wrong, and if of homicide, then, whether his motive

the defendant was entitled to the then if the judgment is affirmed, the execution might take place in July.

> The Counterfeit Coin Business. -The examination of James Shields charged with passing counterfeit Murray." Scoretary Thomas, M. H. Walker, money, was to be conducted before Justice Pyper this afternoon, com-F. Auerbach, W. H. Rowe, Major Erb, mencing at two o'clock. Parties are Lieut, B. A. Burns, B. W. E.Jennens, Andraw Brizen, H. Wagener, Lleut, J. J. Shaw, A. Gould, coming forward who were duped by Shields. He called at the store of Mrs. Burrows, in the Kimball Block, from whom he procured a 25 cent Geo. Arbogast. handkerchief, for which he tendered a bogus dollar, and got 75 cents T. C. Armstrong, chairman. Aniel Dunne, arst, B. S. Scott, change. Several other handker- C. D. Durst, chiefs and sundry trifling articles

Ed. Murphy, chairman. er, F. W. Gardiner, were found on his person, doubtless S. F. Walkers Ed. L. Batterfield, J. B. Farlow, obtained from diderent parties upon whom he passed off counterfeits. C. K. Ster Capt. J. W. Wotherell. An attempt was made to pass COMMITTEE OF ABBANGEMENTS. some of the coin at Aubrey's eating Daniel Duune, chairman. Wetherell. Ed. Murphy. ttlo, T. C. Armstrong, unt, B. S. Scott, erry, F. Reahman.

house, First South Street, but its spurious character was detected. On Tuesday night the amount d54 presented at the Theatre ticketwindow was nearly twenty dollars, but Mr. Rossiter detected it from

A N AD BIE HOUSE OF SIX ROOMS, on 7th Fast Street, between First and second South Streats, the property of MRS. ELENOR G. JONES. take any of it. One man innocently presented for further particulars enquire of one of the coins for payment One block south of 11th Ward School House d 56 st gentlemen, to sum up all I have said to you, if you find from the whole evidence that, at the time of the commission of the homicide, the area doubtless the

WM. PETERSEN Parties who are, doubtless, the principals in this passing of counwas doing or of seeing that it was a wrong thing to do; as for example, if he was under the insane delusion rest of Shields and left the country. People receiving money about the trees the second se 1225 First South Street, Second Shop fro East Corner, if he was under the insans delusion that the Almighty had commanded him to do the act, then he was not Dealer in all kinds of M & A F in season Meat ordered by Telephone will receive prompt attention to the satisfaction of pa-trons. All kinds of in a responsible condition of mind, but was an object of compassion, and by observing the points given in should be readily known SAUSAGES A SPECIALTY. 64

Legislature .- The following business was transacted in the House this afternoon:

his own free will, he deliberately A petition was presented from conceived the idea and executed the James T. Darton and 84 others, askcal animosity, desire to avenge sup-posed political wrongs, or a morbid desire for notoriety, or if you are un-able to discover any motion of you are un-

desire for notoriety, or if you are un-able to discover any motive at all, the act is simply murder and it is your duty to find a verdict of guilty as indicated or, (after the suggestion from Scoville to that ef-fect) you find the prisoner is not guilty by reason of insanity, it is your duty to say so. You will now

PUBLIC AUCTION.

Monday, Jan., 23, 1882, stoves: stoves:



structed that no damage shall result there-from to others having prior right to the use of the waters of said stream for agricultural

of the waters of said stream for agricultural or manufacturing purroses. A Mass Meeting of the eitizens of said dis-trict, is also hereby appointed to be held at the County Court House, Sait Lake City, on Suturday, the 4th day of February, 1883, at 2 p. m., for the purpose of forming a company, by electing Trustees, a Speretary and Treas-urer, and that the Clerk give notice of the time and place and object of said meeting as required by law. In pursuance of the foregoing, notice is hereby given, that a meeting of the ditzens of Hiverside Irrigation District, and persons interested in the construction of canals in said district, will be held at the County Court House in Sait Lake City, on Saturday, the Fourth day of February, at 2 p. m., for the purpose of forming a company by electing not less than thres, use more than thirteen Trustees, a Secretary and Treasurer, and de-oide whether the tax to be levied shall be on tarable property, or upon the lands to be ben-effited by the construction of a canal. Dated Sait Lake City, January 25th, 1882. Dated Salt Lake City, January 25th, 1882. County Clerk, Salt Lake County, Utah.

SPENCERIAN

REAL SWAN QUILL ACTION.

WalkeR Brothers WHOLESALE GROCERS, IMPORTERS AND JOBBERS IN **TEAS and COFFEES** Manufacturer's Agents and Wholesale Dealers in Tobaccos, Cigars & Smoking Article BLASTING & SPORTING POWDERS, MINERS' SUPPLIES, Ett

STEEL PENS ME In Our Grocery Department, we Sell of the Very Best European Make, and un-rivaled for Flexfbility, Durability, and Evenuess of point.

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SPENCERIAN BOOTS & SHOES



In consequence of damage done by the bursting of a water pipe, we will dispose at

At SEVEN o'clock p. m., and at

