TRUTH AND LIBERTY.

VOL. XVIII.

SALT LAKE CITY, UTAH TERRITORY, WEDNESDAY EVENING, NOVEMBER 18, 1885.

NO. 305.

and shares and a second the same in the same



Palmer, Fulle**r & Co**.

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AF OPEN DAY AND NIGHT.

NOV. 17, 1885. The empaneling of a grand jury for

> C. Wardleigh, John B. Hopkins, Judge Powers then proceeded to deliver the foilowing charge, the text of which we copy from the Ogden Herald: Gentlemen of the Grand Jury : You have been called by your counry to act in a most important capa-

ity. You have been taken from the ordinary affairs of life, to serve as grand jurors of the present term of court. None of you have sought this buty, and I feel certain that all of you would have preferred to remain at home as private citizens, rather than take up the grave responsibilities which you now assume. But jury duty is one of the burdens of citizen-ship. It must neither be sought nor shirked. It is a public duty which the covariant requires of its citizens in return, in a slight degree, for the blessings that are showered in such abundance upon those who live in this land of liberty.

I am sure that you fully appreciate the importance of the position which you occupy, and I trust that you are willing to withdraw yourselves from the malice, prejudice and envy that too often sway men's minds in the affairs

of the world, and that you will conse-crate yourselves, without fear or favor, to the great public trust that our laws have placed in your charge. Upon the very threshold of your duties, let me urge you to resolve that you will be faithful to your oaths, that you will indict no man through prejudice or maie, and that you will leave none unin-cted through fear or through favor.

vant matters.

In all things let me admonish you to be brave, firm, fair and just. In other words, be faithful, fearless and conctor L. S. Eunting Co., "Standard" Agents for L. S. Euning, roless quantity and "Eagle," by the Case or less quantity. These Goods can be obtained at Z. C, M. I. tentious jurors.

I desire to impress upon you the ab-rolute necessity for fairness and impartiality in all that you may do. You must not be influenced by matters that you have no right to consider. You against cohabitation and polygamy, was must not take thought of the conse-

CHARGE TO THE GRAND JURY. lation can be supposed more whole- conduct in office of public efficers of at the expruse of Buigarla, to satisfy DELIVERED BY ASSOCIATE JUSTICE O. W. POWERS, AT OGDEN, ON TUESDAY NOV. 17, 1885. seeks to establish it upon the basis of At all reasonable times you may the idea of the family as consisting in conteinto court and ask its advice on

The empaneling of a grand jury for the First District Court was completed on Monday afternoon last, the following named persons constituting the ganel, the first mentioned being the foreman, J. W. McNutt, D. Thorburn, J. S. S. Peterson, S. S. Schramm, F. A. Shiells, O. G. Hill, C. B. Payson, J. Crandali, Geo, G. Griffith, I. Rubel, H. C. Wardleigh, John B. Hopkins, Judge

DESERET EVENING N

It is also complete when any man sim-1 with sees under actual examination ultaneously, or ou the same day, mar-ries more than one woman. This, however, does not apply to any person. For the pedgee, can be present with you by reason of any former marriage, whose nusband or wife by such mar-riage has been absent for the succes-what ward wards to the variable of the succes-the ward ward is belowed to sive years, and is believed by such in what mouner any grand phor may person to be dead, nor to any person have voted upon any matter before

by reason of any followr marriage you, which shall have been dissolved by a You must also keep your own delifevalid decree of a competent court, on the ground of nullity of the marriage relation. consideration, the decree of a matter under consideration, the decree of a matter In this Territory there is no haw reg-nlating n arriage. No form or cere-mony is required, and no record of were known that there had ever been marriage is kept. Marriage is left is before you for deliveration the ques-it was at common law. There need be thought his guilt or innocence of a pubno witnesses present. If the parties the offense. You will allow no one to it, but my reasons for not complying are competent to contract, all that is chestion you as to your own action or with Mr. Parnell's request are that, the action of your associates on the though Ireland wishes and desires essential is a present agreement. The the action of your associates on the integration of your associates on the integration of the integration of your associates on the integration of the integration of your associates on the integration of the integration of your associates on the integration of the integration of your associates on the integration of the integration of your associates on the integration of the integration of

able a court or jury to find that at some mation of perjury may be prevented, enough to make myself a voluntary previous time the parties did, as a fact, consent to be married, and as a fact, agree to be husband and wife. The mode of life, the holding out, the decha-rations or admissions of the accused, and the like, are circumstantial evi-dence from which the total accused for the provide producing the provide the provide producing the second decimal and the confederates, to disprove by procuring the product of make invseif a voluntary physician for the people of Ireland, in-stead of the authorized doctors he would seriously damage any proposal hatched in my mind, if the Irish consti-tutions of the file, the holding out, the doctors inter st of accused persons, or their false testimony. Third-To concell the fact that an proposal be made it can only be effec-ticity made by the government, aldence from which the fact of marriagmay be interred.

party, in order to wold the danger of though the government is rather ellent The offense of cohabitation is contplete when a man, to all outward ap- escare of the accused before the pre- on the subject and appears disinclined pearances, is living or associating entment is made.

to use language Calculated to render For centuries, grand juries have been less easy its relations with the party to with more than one woman as his wife required to keep their defiberations secret. The obligation is secrecy does in it arise wholly from the form of your oith. It is founded mon considera-[His Honor laid particular stress upon this definition, and that it might be thoroughly understood by the jury, he repeated it.| To constitute the of-fense, it is not necessary that it be tions of public policy, as will be read- require to hear their views before exshown that the parties indulge in sexual intercourse. The intention of the úst made ile to accede to Mr. Parnell's kind in-You will find indictments against all 1.515((1))

must, in your deliberations, simply consider the evidence produced. You must not take thought of the conse-The remainder of the speech was devoted to a rapid review of the various lea they topics, including foreign affairs evidenced by a ceremony, or by conprovide,"that if any person or persons, and disestabilshment. shall corruptly, or by threats or for-An indictment may be found against or by threatening letters, or any a.man guilty of cohabitation, for threatening communications, endearon Very, Very Little Things every day, or other distinct interval of to influence, intimidate or impede any will be pepular, or whether it is politic to do or not to do a particular thing, for you must simply consider whether it is right. You must not consider whether it men, subject to your investigations are rich or poor, powerful or weak. Your bright red color comes from the iron in them. When there is not enough iron to punishment for each separate of-fense. A grand jury is vested with communications, influence, obstruct or impede or endeavor to influence, the blood is thin and watery and impure. Purity and vigor go together. Brown's Iron Bitters is the only safe very large discretion in limiting the obstruct or impede the due adtime within which a series of acts may ministration of justice therein," such person or persons are liairon tonic ever made. It enriches the ble to punishment. And also, blood builds up the system, gives health, strength, and enjoyment of life. **It has been argued by some that if a** grand jury can find an indictment for each day that a man cohabits with more than one woman, they can find an indictment for each hour or each minute. -The learned lawyers who have wided this work they they their indices he writing to his or Prices of Photographs Reduced at FOX & SYMONS.

moned, 'such person or persons are liable to indictment and punishment. You will thus preceive that the law in-

Constipation

Causes, directly or indirectly, fully one-half the sufferings which afflict manking. It is usually induced by inactivity of the liver, and may be cured by the use of LONDON, 17. -Bright, in a speech at

nation might present some demand. I expressed confidence, however, that mond, Va., writes: "I have been a severe sufferer from Hondache. Ayer's Pla afford me speedy rellet." A. J. Forster, Dauphin st., Mobile, Ma., writer "For the Union and the Empire, though she might present a demand for a large tailed in the management of local ar-tairs. Any demand of this character, i declared, ought to receive the atten-tion and negative to the stenland would never forget her duty to

Cured by Using

that declaration Mr. Parnell has con-Ayer's Pills." Rev. Francis B. Harlowe, Atlanta, Ga., writes: "For years I was veyed to me through the confidential subject to Constipation, from which I suffered increasing inconvenience, to another medium of the newspapers, a suggestion that I had better frame a plan for the local government of Ireland. I propose now to reply to Mr. Parnell in the use of medicines of various kinds. Some months ago, I began taking Aver's Phils. They have entirely corrected the costive habit, and have variating proved my general bealth." Hermann Bringhoff, jewelry engraver, Newarl. 10101048 an equally confidential manner. Doubt-"Costiveness, induced by my sedentary habits of life, at one time beet -romia less you gentlemen will not mention it. Perhaps my friends at the table below and exceedingly troublesome. Ayer's Pills afforded me speedy relie'. - Turner (meaning the reporters) wou't mentica occasional use has since kept me all right." | Ed. O. Easterly, Rockford . ATTIERS it, but my reasons for not complying that he has been cured of chronic Constipation by the use of





ADAMS & CO., and Colored Table Ware. Jelly Tumblers. Jelly Pails, Etc. or A full line of our Goods can be found at ... C. M. I. and its branch Stores, Little & Roundy's and Clark, Eldredge & Co's d PAN HANDLE CARPET WARF THE BEST in USE. Z. C. M. I. SOLE AGENTS. Can be of tained at all their branch stores throughout the Territory. das alt HAZARD POWDER Coastantly on hand a complete stock of this well known and justly celebrates JUNPOWDER Blasting, Kentucky Rifle, Fair Lawn, Duck, Electric Fuse. se For sale by Z. C. M. I. and all the rincipal Stores in the Territory, and by H. B. CLAWSON, Agont. Wolfe, Patton & Co., BRUSHDS PITTSBURGH, PA. For sale at Z. C. M. I., Godbe, Pitts & Co., Barnes & Davis, Meere, Allen & Co., R. Alf, 4 P. Teasdel, Chunington & Co., Clark, Eldredge & Co., Sears & Liddle dios & sociates. Mill: No. 53 North Temple Street, East. Office: 21 South Temple Street, West BRANDS: MIGH PATENT, BARER'S No. I. PERFINE WADLE WHEAT FLOUR. AIGHEST CASH PRICE PAID FOR WHEAT

ices to yourselves, if a certain line duct and circumstances alone. of action is pursued, but you must

simply seek to do your duty. You must not inquire whether your action will be popular, or whether it is politic to do or not to do a particular thing, men, subject to your investigations are rich or poor, powerful or weak. Your eyes must be closed and your ears must be sealed to all outside or irrele-

The institution of the grand jury is be alleged as constituting a single ofof very ancient origin in the history of England; it goes back many centuries.

In the struggles which at times arose in that country between the powers of the king and the rights of the subject, it often stood as a barrier against perecution in his name, until at length it ame to be regarded as an institution who have raised this point, and they are not members of the bar, have prob-ably forgotten that the law takes no munication in print or la writing in reby which the subject was rendered secure against oppression from un-founded prosecutions of the crown. "In this country," says a distinguished judge, (His Honor Justice Field, of the notice of fractions of a day, hence you lation to such issue or matter, without caunot find au indictment for any less the order previously obtained of the court before which the juror is sumperiod than a day. I also charge you, that 'f you should find that a man is guilty of cohabiting with two or more women, one of whom preme Court,) "from the popular

character of our institutions, there has seldom been any contest between the government and the citizen which re-quired the existence of the grand jury resides in this district and the other in tends that you shall be secure from some other district in this Territory, timulation or personal furneed tion of the government, yet the insti-tution was adopted in this country, you should indict hun; for the offer se every kind, and the court will do is deemed by the law to be completed and committed here. The statute of the United States says, "Where any offense against the United States is beand is continued from considerations similar to those which give to it its chief value in England, and is designed as a means, not only of bringing to trial persons accused of public offens-es upon just grounds, but also as a un in one judicial district and comleted in another, it shall be decued to

have been committed in either, and may foreman may actualister the oaths to be dealt with, inquired of, tried, de-termined and punished in either dis-from among your number and he neans of protecting the citizen against unfounded accusation, whether it rict, in the same manner as if it had should keep a minute of your proceed been actually and wholly committed therein." I also charge you to investigat y partisan passion or private en-I also charge you to investigat-whether any person has knowingly and wilfully obstructed, resisted or opposed an officer of the United States in serv-True Ball' and the indorsement must From these observations it will be a cu, gentlemen, that there is a double daily cast upon you as grand jurors of this District, one a duty to the govern-

ing or attempting to serve any process be signed by your foreman. If twelve or warrant, or any rule or order or grand jurors do not concur in finding ment, or more properly speaking, to society, to see that parties against whom there is just ground to charge the commission of crime, shall be held ther judicial writ of this court, or asstulted heat or wounded any officer or depositions and statement, if any, trans-other person duly authorized in serving mitted to you, must be returned to to unswer the charge; and on the other hand a duty to the citizen to see that he or executing any writ, rule, order, pro-cess or warrant of this court. s not subject to prosecutions which

Also, whether any person corruptly Nou will direct your inquiry, in your or by threats or force, has endeavored to influence, intimidate or impede any investigations, to such subjects as are called to your attention by the Court in this charge, or are submitted to your witness, or officer of this court, in the discharge of his duty, or has corruptly, or by threats or force, obstructed, or consideration by the District Attorney. impeded the duo administration of some other matters may come to your knowledge, walca it will be your duty justice

And I also charge you to inquire to investigate. While you are inquiring vbether any persons in this Territory as to one offense, another, and a dif-ferent offense may be found, or withave conspired to deter, by force, in-timidation, or threat, any party or witcommit the crime of perjury. So, also, some of you may have personal knowl-edge of the commission of offenses against the laws of the United States, or ness from attending this court, or from testifying to any matter pending here-in, ireely, fully and truthfuny, or have conspired to injure such party or have conspired to injure such party on witness in his person or property on account of his having so attended or testified. of this Territory, or of facts which tend o show that such an offense has been

committed or possibly attempts may be made to influence corruptly or improperly your action as grand jurors. If you are personally possessed of such knowl-edge, you should disclose it to your associates; and if any attempts are made to influence your action corruptly or improperly, or to intimidate you obstructed the officers while engaged in your action, you should inform them of it also, and they will act upon the the officers of the government with information thus communicated as is presented to them in the first instance by the District Attorney. I instruct you that your investigalons are to be limited; First-To such matters as may be

things impede the course of justice. You will not confine your investiga-tions to the determination of the question, whether the laws of the United States have been violated, but called to your attention by the court; you will ascertain whether there have been infringements of the laws of the Second-May be submitted to your opsideration by the District Attorney;

Territory. You will inquire whether there have been any murders com-Third-May come to your knowledge mitted; whether any persons are guilty of rape, larceny, riot, robbery, embez ziement or any of the various offenses n the course of your investigations inthe matters brought before you, or rom your own observations; or

upon the statute books. You will find these various crimes and misdemeanors defined in the Fourth-May come to your knowl-edge from the disclosure of your asstatutes of the Territory, to which you It will be your duty to inquire whether any of the laws of the United States have been violated. It is my duty to charge you specifically, to make will have access, and to which your attention will be called by the attorney

for the people, I charge you particularly to investi-gate whether parties are guilty in this district of the offense of grand larceny, due and diligent inquiry, whether the laws of your country relative to polygAll work done by the Dry-Plate In-stantaneous Process. REDUCTION PERMANENT.

Jehn Bright.

on and respect of Parliament. Since

For Bureaus,

Go to SORENSEN & CARLQUIST'S. COAL! COAL!! COAL!!! Order your Weber, Pleasant Valley, Rock Spring and Red Caffon Cosl of J. C. and H. Watson, at the Pacific Express Office, Second door North of

Deseret Bank. Telephone No. 365. Lourt. In the investigation of matters your

RAMNI

F. S. Holley, of California, has 23 Stock Rams left. Sheep men call at Cohn's wool house and see them. d1w

As a cure for insonnia and nervousiess, there is nothing like Dr. Henley's bery, Beef and Iron. For sale by Z. C. M. I. Drug Store, concrts & Neiden, Moore, Alien & Co., ardbe, Pitts & Co and A. C. Smith &

the body, makes healthy fiesh

----FILEN: PILENII PILENIII an indictment against a defendant, the Sure cure for Blind, Bleeding and It-blue Piles One but has cured the worst ases of 20 years' standing No One fored suffer five minutes after usin. Witham's Indian Pile Ointment the court, with an indorsement thereon, igned by your foreman, to the effect that the charge is dismissed. Wach ndictments are found, you must come Its absorbs tamors, silays itching, acts as poultice, gives instant relief Preinto court and present them to the pared only for Piles, itching of the

You should investigate with care all rivate parts, nothing else Sold by uzgists and manea rise, are and \$1.a0 For asl- hv Z C M 1 Drag Deps FRAZIER MEDICINE Co. Prop's, Cleveland, Obio. matters brought to your attention, and remember that, when all the evidence before you, taken together, if unexplained or uncontradicted, will in your indiment warrant a conviction by a

trial jury, then you should find an in-dictment: but not otherwise. HEMOVAL.

Young Bros., Agents Domestic Sew-ing Machine and Music Dealers, have removed opposite their old stand to No. 38 Constitution Building, Main St. Salt Lake City.

I call your attention to these last three points because it has come to the knowledge of the court that certain logal evidence; that you will indict no TUTT'S parties in this Territory have set at de-flance the laws, have publicly advo-cated that an oath taken in a court of justice can be properly violated, have all your indictments you will state the

and it remains simply for you to do

BY TELEGRAPH PER WESTERN UNION TELEGRAPH LINE.

FOREIGN. The Situation in the Balkans.

TZARIBROD, 17.-The present Servian ler of battie is as follows: Col. Benecka, with the Shumadji division, has ascended the Luknaiski stream and is approaching Slionivitza. Col. Michkovitch, with his force, has reached Gentzi Pass, on the route

to Slionitza. UTT'S EXTRACT SARSAPARILLA

SEPTEMBER 1885. An Immense FALL Stock Just Received where the second se NOVELTIES IN DRESS GOODS! BOYS' dlw SCHOOL SUITS, OHEAP! Girls'Newmarkets, Cheap R. K. THOMAS. FLOWING WELLS! am prepared to Bore for Water any depth, from One Hundled to L Four Hundred Feet, in any kind of material, look, to be sand, Cement or Gravel. 17 For particulars see S. R. MARLAN, d242 Jan At the Coverative Furniture Co's .. 108 West, South Thanks St. CARY, BEDEN & PARKER BED CROSS COTTACE COLORI HANDY PAINTS. CHICAGO. PARALR'S CENETI PAINT. FINEST PAINTS QUALIFY GUARANTERP. AND Carry, Ogden & Parke man. mfacturers of Paints. Fo sale og E. G. M. L and its brand'r. COLORS. 25 YEARS IN USE. The Greatest Medical Triumph of the Age! SYMPTOMS OF A TORPID LIVER. Lease of appetite, Bowels costive, Pain is the head, with a dull sensation in the black, Fullaess after enting, with a dis-inclination to exertion of body or mind. Irritability of temper, Low spirite, with a feeling of having neglected some duty. Wearineas, Dizsiness, Fluttering at the Heart, Bots before the oyes, Hostincker over the right cre, Bestlessness, with atful dreams, Highly colored Urine, and CONSTIPATION. TUTT'S PILLS are especially adapted to such cases, one dose offects such a change of feeling as to astonish the sufferer. They Increase the Appetite, and cause the product. Full and by their Tonis Action on the Bigestive Grans, Regular Stock Mer. The Greatest Medical Triumph of the Age! D'HENLEY'S

THE GREAT NERVE TONIC. - Unsurpained as a remody for General De bility, Sleeplessness, Indigestion, Neuralgia, kheumatiam and diguna tom

Bold by all Druggists and Country Dealers.





