

# "MAN'S INHUMANITY"

Asserts that the Quality of Mercy  
Must be "Strained."

Editor Deseret News:

The proceedings in the Third District Court during the past few days have occasioned considerable comment, and called forth expressions of surprise at the seemingly severe straining of the law on unlawful cohabitation.

Particularly has this been so in the case of the United States vs. Jenking, and also in the case of the United States vs. Tovey. In each of these cases the defendants have already served a term of imprisonment in the Penitentiary for the same offense and for the second time have been arraigned on the charge of unlawful cohabitation. In the cases above cited it appears that the defendants have been found guilty upon the flimsiest kind of evidence, and it is impossible to refrain from looking at it in any other light than as a determined and persistent effort to crush these poor men.

In the case of Tovey, it is an indisputable fact that in the strict sense of the word he has not cohabited with his plural wife since the expiration of his sentence for the first offense. There has not been the slightest evidence of this, nor indeed is it claimed there is by the representatives of the government here.

Upon what, then, has this man been found guilty for the second time? Simply upon the fact that his admission before the United States Commissioner that he, Tovey, sawed wood for his plural household, and that at the home of his first and legal wife, the children taking it from there to their home for use; also upon the fact that he, Tovey, had packed water for his plural wife from a ditch in the neighborhood of their home, and put it down by the side of the fence, or by the door step. In addition to this, Tovey admits having visited a child in his plural household, that was very sick with typhoid fever, but that only in a few instances for about an hour or so, during the most critical period of the child's sickness. He also called occasionally to assist the little ones in their lessons. This is the sum total of the offense, and upon this slim testimony has he been convicted. He has not lived with the plural wife. He has not eaten a meal with her. He has not stayed a night in the house. He has not gone to a place of worship with her, nor to a place of amusement; in short, he has purposely abstained from visiting her house, with the exceptions above stated, believing that he was complying with the very strictest interpretation of the law in order to avoid giving offense or occasion for additional proceedings against him.

But alas for human expectations! Three months and twenty six days after emerging from the penitentiary, Tovey was again visited by three deputies at midnight at his home. The family being in bed and asleep, the deputies aroused them from their slumbers, and after subpoenaing the wives and eldest son, the latter fourteen years old, the little fellow was marched down town to the marshal's office, where he was kept all night. He had his examination before the United States Commissioner, and while that official thought there was not enough evidence to convict, still he held Tovey in the sum of \$1,500, and the witnesses in the sum of \$200 each to await the grand jury's action.

Upon such meagre testimony as is set forth above, and upon it alone, has this man been convicted. If the United States Government, or its representatives here, or Senator Edmunds, who is the author of the act under which this man Tovey has already suffered imprisonment, and under which again he must be immured within the Penitentiary's walls, and be the associate of the Territory's worst criminals, can take any comfort from such inhuman, cruel and vindictive action they are welcome to it. But surely no member of the House of Representatives, or Senator, no, not even the worst enemy of mankind could countenance such severe straining, or such an interpretation of a law that would so unnecessarily inflict punishment, and that so severe, upon any class of the community. This man Tovey is a quiet and peaceable citizen, of good character and habits. He has two wives, the second, or plural, is a cripple, and requires a crutch, and it is most humiliating to think that because of her infirmity, her husband should be debarrd from sawing wood or packing water for her—a thing which she is physically incapacitated from doing herself—and her children, six in number, the eldest a girl, slender in frame, only 11 years of age, unable to do so. It seems a travesty on justice. It seems that mercy is wholly banished from the breasts of men who take part in such a parody. Imprisonment for six months and a fine of \$50 and costs is required to vindicate the law, and to teach this poor man, who has undisturbedly lived and raised families by his wives for years, the heinousness of his offense! He must suffer for conscience' sake, for he is sensible of his innocence.

While the husband and provider for two wives and eleven children, none of whom are able to assist in supporting the family, languishes behind the iron doors of the criminals' den, those depending on him are left to the tender mercies of the charitably disposed. Let the most hardened

wretch that breathes the air of this land of freedom enter those households, and see those innocent children and the crippled mother in their struggle for existence, and if he is not moved with sympathy and pity, his condition is that of one whose fountains of affection and brotherly feeling must have dried up, and who is void of charity, that greatest of attributes. How forcibly the lines occur:

"Man's inhumanity to man,  
Makes countless thousands mourn."

D. L. M.  
Salt Lake City, April 21, 1888.

## Thief Captured.

A few days ago Sheriff Belnap received a telegram from Thos. E. Jones, sheriff of Beaverhead County, Montana, requesting him to see on the watch for Thomas J. Lowe, charged with grand larceny. Lowe lived in Cache Valley until he was ten years old, and he resided the greater part of his life since that time in Hopper, in this county. He had a sister who had married a man named Morgan, living at Kelton. Sheriff Belnap at once suspected that he had gone there, and took the train for that place. He could find no trace of him, but as the C. P. was late he was forced to remain over Sunday. He stayed at the hotel watching the cowboys come and go. Towards evening Lowe rode up, and jumping off his horse proceeded to the bar room without hitching him. He peeped through the door cautiously looking around as if suspecting something. Seeing no one whom he thought dangerous, he returned and tied up his horse. His actions aroused the suspicions of the sheriff, and when he came back Lowe stepped up to the bar, asking the boys to drink. The sheriff stepped up with the rest, saying as he did so, "How are you, Tom?" Lowe jumped back with a "who in h— are you?" at the same time grasping for his revolver. The sheriff was too quick for him, however, and he was forced to submit. He was then taken to Ogden, reaching here Monday morning at 1 o'clock, and lodged in the county jail. Sheriff Jones at Dillon was telegraphed for, and arrived here yesterday morning. He took charge of the prisoner and last night took him to Montana, Sheriff Belnap accompanying him at his request. Mr. Belnap received a handsome reward for the clever capture.—Ogden Standard, April 25.

## Zoological Exhibition.

Yesterday the advance car of the New York Aquarium arrived in this city and placed on exhibition a number of animals not often seen in this portion of the world. There were several crocodiles in a tank from which the water had been drawn, one of them reputed to be 60 years of age. The white-faced monkey, hopping to and fro in his cage, and the blood-sucking vampire hanging head downward from his perch, were the most noted curiosities. Parrots, magpies, and a large number of chattering, curious-looking birds attracted the attention of those visiting the car. Hundreds of school children, who had received tickets at reduced prices, were delighted with the living specimens of the animals whose habits, size, shape and color they had studied in school.

This car is arranging the route for the Aquarium, which is composed of six large Pullman cars, that will shortly visit all the localities in which this advance car has given an exhibition. That the people were interested in natural history was manifest by the steady flow of visitors in spite of the unpleasant weather. Col. J. H. Wood, manager of the advance car, stated that he was pleased with the reception he had received. He said he passed through Ogden some years ago, "but I tell you you have a different town today than you had then," was his emphatic conclusion. The animals will be on exhibition again today, from 10 a. m. to 10 p. m.—Ogden Standard, April 26.

**WORTHY OF HIS HIRE.**—Stranger (to boy)—Boy, can you direct me to the nearest bank?

Boy—I kin fer twenty-fif cents.

Stranger—Twenty-five cents! Isn't that high pay?

Boy—Yes, sir; but it's bank directors what gits high pay.—N. Y. Sun.

## A Sound Legal Opinion.

E. Bainbridge Munday, Esq., County Atty., Clay Co., Tex., says: "Have used Electric Bitters with most happy results. My brother also was very low with Malaria, Fever and Jaundice, but was cured by timely use of this medicine. Am satisfied Electric Bitters saved his life."

Mr. D. I. Wilcoxson, of Horse Cave, Ky., adds a like testimony, saying: He positively believes he would have died, had it not been for Electric Bitters.

This great remedy will ward off, as well as cure all Malarial Diseases, and for all Kidney, Liver and Stomach Disorders stands unequalled. Price 50c. and \$1, at A. C. Smith & Co's Drug Store. (6)

The "Exposition Universelle de l'art Culinaire" awarded the highest honors to Augustura Bitters as the most efficacious stimulant to excite the appetite and to keep the digestive organs in good order. Ask for the genuine article, manufactured by Dr. J. G. E. Siegert & Sons, and beware of imitations.

**BROWN'S COUGH BALSAM**  
and Tar Troches are invaluable in every family for Coughs, Colds and Sore Throat.

**BROWN'S ARNICA SALVE**  
is every box warranted for Cuts, Burns, Bruises, Old Sores, Piles and Sore Eyes. No cure no pay.

**BROWN'S SARSAPARILLA**  
has no equal. Stands alone as the Great Blood Purifier and cure for Rheumatism. All Wholesale Drug-gists sell Brown's Family Medicines.  
Z. C. M. I. Drug Store, General Agents.

## Don't Experiment.

You cannot afford to waste time in experimenting when your lungs are in danger. Consumption always seems, at first, only a cold. Do not permit any dealer to impose upon you with some cheap imitation of Dr. King's New Discovery for Consumption, Coughs and Colds, but be sure you get the genuine. Because he can make more profit he may tell you he has something just as good, or just the same. Don't be deceived, but insist upon getting Dr. King's New Discovery, which is guaranteed to give relief in all Throat, Lung and Chest affections. Trial bottles free at A. C. Smith & Co's Drug Store.

Large Bottles \$1. (6)

## BUCKLEN'S ARNICA SALVE.

THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box.

For sale by A. C. Smith & Co.

In 1850 "Brown's Bronchial Troches" were introduced, and their success as a cure for Colds, Coughs, Asthma and Bronchitis has been unparalleled.

## DOCTORS' BILLS.

Nearly all diseases originate from inaction of the liver, and this is especially the case with chills and fever, intermittent fevers and malarial diseases. To save doctors' bills and ward off disease take Simmons' Liver Regulator, a medicine that increases in popularity every year, and has become the most popular and best endorsed medicine in the market for the cure of liver or bowel diseases.—Telegraph, Dubuque, Iowa.

The Clough & Warren Organs and Pianos, Packard Organs and Lindeman & Son's Pianos sold by Young Bros. Co., 38-Main St., Salt Lake City, are among the most popular in the market. d&stf

## Facts Worth Knowing,

In all diseases of the nasal mucous membrane the remedy used must be non-irritating. The medical profession has been slow to learn this. Nothing satisfactory can be accomplished with douches, snuffs, powders, astringents, or any similar application, because they are all irritating, do not thoroughly reach the affected surfaces and should be abandoned as worse than failures. A multitude of persons who have for years borne all the worry and pain that catarrh can inflict, testify to the radical and permanent cures wrought by Ely's Cream Balm.

**ELY'S CATARRH Cream Balm**

Cleanses the Nasal Passages, Allays pain and Inflammation, Heals the Sores, Restores the Senses of Taste and Smell.

**TRY the CURE**

A particle is applied into each nostril and is agreeable. Price 50 cents at drugists; by mail, registered, 60 cts. ELY BROTHERS, 335 Greenwich St., New York.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One red and white 2-year-old STERR, an indecipherable brand on right hip, has a crop and bole in right ear, and two slits in left ear.

If the above described animal is not claimed and taken away within 10 days from date, will be sold to the highest cash bidder, at the estray pound in Salem, Utah County, Utah Territory, at 9 o'clock a. m., Thursday, the 3rd day of May, 1888.

(SAMUEL T. CURTIS, Poundkeeper.

Salem, Utah Co., Utah Territory, April 23, 1888.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One brown MARE, about 4 years old, white spot in forehead, brand resembling 2 on left thigh.

If said animal is not claimed and taken away within 10 days from date hereof, it will be sold to the highest cash bidder, at 2 o'clock p. m., April 30, 1888, at the estray pound.

J. H. KENNEDY, Poundkeeper.

Aurora, Sevier County, Utah, April 20, 1888.



## TORPID LIVER

Is known by these marked peculiarities:

1. A feeling of weariness and pain in the limbs.
2. Bad breath, bad taste in the mouth, and a furred tongue.
3. Constipation, with occasional attacks of diarrhea.
4. Headache in the front of the head; nausea, dizziness, and yellowness of skin.
5. Heartburn, loss of appetite.
6. Distention of the stomach and bowels by wind.
7. Depression of spirits, and great melancholy, with lassitude and a disposition to leave everything for tomorrow.

A natural flow of bile from the liver is essential to good health. When this is obstructed it results in

## BILIOUSNESS,

which, if neglected, soon leads to serious diseases. Simmons' Liver Regulator exerts a most salutary influence over every kind of biliousness. It restores the liver to proper working order, regulates the secretion of bile and puts the digestive organs in such condition that they can do their best work. After taking this medicine no one will say, "I am bilious."

"I have been subject to severe spells of Congestion of the liver, and have been in the habit of taking from 15 to 20 grains of calomel which generally laid me up for three or four days. Lately I have been taking Simmons' Liver Regulator, which gave me relief without any interruption to business."

—J. Hugg, Middleport, Ohio.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One blue MARE, 2 or 3 years old, brand resembling Y and blotched on left thigh.

Which, if not claimed and taken away by May 3d, 1888, will be sold at 9 o'clock a. m., at the Nephi estray pound.

PETER SUTTON, Poundkeeper.

Nephi, April 23, 1888.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One black yearling HORSE Colt, M sheared in hair on left side of body, no brands visible, few white hairs in forehead.

Which if not claimed before will be sold May 5th, at 1 o'clock p. m., to the highest bidder at my corral.

F. J. CHRISTIANSON, Poundkeeper.

Mayfield, Sanpete Co., April 20, 1888.

## EVERY NIGHT I SCRATCHED

Until the skin was raw. Body covered with scales like spots of mortar. Cured by the CUTICURA Remedies.

I am going to tell you of the extraordinary change you CUTICURA REMEDIES performed on me. About the 1st of April last I noticed some red pimples like coming out all over my body, but thought nothing of it until some time later on, when it began to look like spots of mortar spotted on, and which came off in layers, accompanied with itching. I would scratch every night until I was raw, then the next night the scales, being formed underneath, were scratched off again. In vain did I consult all the doctors in the country, but without aid. After giving up all hopes of recovery, I happened to see an advertisement in the newspaper about your CUTICURA REMEDIES, and purchased them from drugist, and obtained almost immediate relief. I began to notice that the scaly eruptions gradually dropped off and disappeared one by one, and have been fully cured. I had the disease thirteen months before I began taking the CUTICURA REMEDIES, and in four or five weeks was entirely cured. My disease was eczema and psoriasis. I recommend the CUTICURA REMEDIES to all in my vicinity, and I know of a great many who have taken them, and thank me for the knowledge of them, especially mothers who have babes with scaly eruptions on their heads and bodies. I cannot express in words the thanks to you for what the CUTICURA REMEDIES have been to me. My body was covered with scales, and I was an awful spectacle to behold. Now my skin is as nice and clear as a baby's.

GEO. COTLEY, Merrill, Wis.

Sept. 21, 1887.

Feb. 7, 1888.—Not a trace whatsoever of the disease from which I suffered has shown itself since my cure. GEO. COTLEY.

We cannot do justice to the esteem in which CUTICURA, the great Skin Cure, and CUTICURA SOAP, an exquisite Skin Beautifier, prepared from it, and CUTICURA RESOLVENT, the new Blood Purifier, are held by the thousands upon thousands whose lives have been made happy by the cure of agonizing, humiliating, itching, scaly and pimply diseases of skin, scalp, and blood, with loss of hair.

Sold everywhere. Price, CUTICURA, 50c.; SOAP, 25c.; RESOLVENT, \$1. Prepared by the POTTER DRUG AND CHEMICAL CO., Boston, Mass.

Send for "How to Cure Skin Diseases," 64 pages, 50 illustrations, and 100 testimonials.

PIMPLES, black heads, red, rough, chapped and oily skin prevented by CUTICURA SOAP.

I CAN'T BREATHE.

Chest Pains, Soreness, Weakness, Hacking Cough, Asthma, Pleurisy and inflammation relieved in one minute by the CUTICURA Anti-Pain Plaster. Nothing like it for Weak Lungs.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One sorrel MARE, about 7 or 8 years old, a little white on forehead, white spot on tip of nose, brand resembling P on left thigh; has a 2-year-old Colt by her side.

If damage and costs on said animal be not paid within ten days from date of this notice, it will be sold to the highest cash bidder at Kanosh estray pound, at 10 a. m. o'clock on the 1st day of May, 1888.

Dated at Kanosh precinct, Millard Co., Utah, this 24th day of April, 1888.

ANTHONY PAXTON, Poundkeeper of said Precinct.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One brown MARE, about 10 years old, brand resembling TH combined on left thigh, has part of a hobble on, a little white in face, left hind foot white.

One bay HORSE, about 9 years old, brand resembling VS on left thigh, a little white in face, short rope around neck and bell on.

If not claimed and taken away within ten days, they will be sold to the highest bidder, at the Lehi City estray pound, on Wednesday, May 2d, 1888, at 2 o'clock p. m.

MICHAEL VAUGHAN, Poundkeeper.

Lehi, Utah Co., April 23, 1888.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One black HORSE, 2 years old, one hind foot white, branded U on left thigh.

One sorrel MARE and colt, blaze face, one front and both hind feet white, branded 2 on left thigh, also brand WB combined on left shoulder, about 8 or 10 years old.

One brown HORSE, 3 years old, no brands visible.

If damage and costs on said animals be not paid within ten days from date of this notice they will be sold to the highest cash bidder at my yard at 2 o'clock, on the 3d day of May, 1888.

JOHN E. KING, Poundkeeper.

Dated at Ferron Precinct, Emery County, Utah, this 22d day of April, 1888.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One blazed faced sorrel HORSE, three white feet, 3 or 4 years old, brand resembling H on left thigh.

One sorrel HORSE, about 8 years old, with white bunch above the nose, branded

on both left thigh and left shoulder.

One sorrel HORSE, about 8 years old, white strip in forehead, brand resembling I on left thigh, also IC on left shoulder.

If damage and costs on said animals be not paid within ten days from date of this notice, they will be sold to the highest cash bidder at my yard, at 2 o'clock, on the 4th day of May, 1888.

Dated at Ferron Precinct, Emery County, Utah, this 23rd day of April, 1888.

JOHN E. KING, Poundkeeper of said Precinct.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One brown HORSE, 10 or 11 years old, branded JP on left thigh, also on left

shoulder, spot of white in face, left hind

foot white, mane has been reached.

One roan HORSE, 6 or 7 years old, brand

ed on left thigh also right thigh spot

of white in face, reached mane.

If said animals are not claimed and taken away within ten days from date, they will be sold to the highest cash bidder, on Wednesday, May 2, 1888, at 2 o'clock p. m.

JAMES TEMPEST, Poundkeeper.

Riverton, S. L. County, April 23, 1888.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One bay HORSE, 12 or 14 years old, left hind feet white, saddle-marked, brand resembling S-D combined on left shoulder.

One brown MARE with Colt, not branded.

The MARE is about 6 years old, a little white on both hind feet, brand resembling on comb-

ined, the S forming the cross or top part of the T, on left thigh.

One brown HORSE, about 6 years old,

brand resembling II on left shoulder.

One red 2-year-old HEIFER, crop off both ears and two slits in end of left, no brands visible.

One red COW, 3 years old, upperslope in left ear and underslope in right ear, branded NX on right hip.

One red COW, 4 years old, small slit in end of left ear, underslope in right ear, branded

on left ribs, V on left hip

and vented on left thigh, W on left thigh,

vented on left shoulder.

If the above described animals are not claimed, identified and taken away on or before the 7th day of May, 1888, I will sell the same to the highest cash bidder at 2 o'clock p. m., at Salina precinct pound.

J. F. MARTIN, Precinct Poundkeeper.

Salina, April 23, 1888.