

Judge Emerson's Views.—Appropos of the movement under way to disfranchise the women of Utah, on the plea of the unconstitutionality of the election law, we here give a brief extract from a decision rendered in the Territorial Supreme Court by Associate Justice P. H. Emerson, January, 1879, in the case of Lyman vs. Martin, on appeal from the Third District Court. The same point raised in Maxwell's affidavit published this evening was brought up in the Tooele election mandamus case, to which the following refers:

The second point is that "the election law is void for want of uniformity in this: a different qualification is required of male citizens from what is required of females." * * Upon the argument, I understand, that the only objection urged to the act was to the clause requiring that males should be tax-payers, which qualification was not required of females. That here was a burden or qualification superimposed upon one class of citizens and not upon the other, and hence the whole act was void: and we are asked to declare it so. This we ought not to do, nor to declare any portion of it void unless some plain provision of the Constitution or laws of Congress are violated.

Section 1890 of the United States Revised Statutes gives to the Legislative Assemblies of the Territories power to prescribe the qualifications of voters, subject, however, to certain restrictions, among which are that they must be "citizens of the United States over 21 years of age," and that "there shall be no denial of the elective franchise on account of race, color, or previous condition of servitude."

The provision in question is not in violation of the above requirements, nor of any express provision of the Constitution or laws of the United States.

His Honor then goes on to quote authorities, which, owing to their length and the lateness of the hour, we were unable to publish this evening.

DISFRANCHISEMENT OF WOMEN.

The first notable movement of the re-organized "Liberal" ring, in their new anti-"Mormon" campaign, was made on Saturday. It is the heroic intention of this truly chivalrous little band, provided they can secure the co-operation of the Federal courts, to procure the disfranchisement of the women of Utah. The grounds upon which they design to contest the question, (the legality of the law giving women the right to vote) is the unconstitutionality of the law which requires of male voters different qualifications to those required of female voters. The following affidavit was read and filed in the Supreme Court by J. R. McBride, on Saturday:

In the Supreme Court of Utah Territory:

Affidavit and petition for Mandamus.

TERRITORY OF UTAH, } ss.
COUNTY OF SALT LAKE.

George R. Maxwell being first duly sworn according to law deposes as follows:

I am a citizen of the United States, native born, and more than 21 years of age. I reside in Salt Lake City, Salt Lake County, Utah Territory, and have so resided for about ten years past. I own taxable property and reside in and have so resided for more than two years past in the precinct of said city and county. I further state that I am a duly registered voter on the registration list of voters made in accordance with the existing election and registration laws of this Territory.

I further state that Robert T. Burton is duly elected, qualified and acting assessor and register of voters in and for said county in this Territory, and now as such has in possession and not returned to the election officer of any of the precincts of said county, the registration list of voters for said county by him made for the present year, as such registration officer. I further state on information and belief that said list contains the names of the following persons who are not qualified or lawful voters, as I state on information and belief, viz., Emmeline B. Wells, Maria M. Blythe, and Mrs. A. G. Paddock and also a large number of the names of women residing in the various precincts of said Salt Lake County, amounting to several thousand in number, but

the exact names and number of the same are to me unknown; that being informed that said persons above named, and the names of other females to me unknown as above stated, were and had been placed on said list by said assessor and register as aforesaid, on the 24th day of September, A. D. 1880, made a demand in writing upon the said assessor and register at his office and to his authorized and acting deputy then and there being, to strike off from said list of voters the names aforesaid and the names of all females found in or contained in said list on the ground that the said persons, nor any of them, nor any woman had any right to vote; that said Burton, by his duly authorized and acting deputy, then and there refused to comply with said demand, and said names of said persons, as lawful voters remained, and yet remain, as I state on information and belief, in said registration lists as lawful voters in the county and precincts of which they are listed.

And affiant alleges on his information and belief, and so states the fact to be, that said persons named and all other women whose names are on said list as aforesaid are not, nor are any of them, lawful voters; and the retention of said names on said list as such, must be and is a violation of the law and of the rights of affiant as a lawful voter, and of the rights of all other lawful voters.

The said Burton has until the 10th day of October next to make his return of the registration list of the various precincts and that in the mean time such return may be made at any time, and that said list was completed by said officer on the 19th day of September, inst., and that affiant is informed and verily believes that said officer declares that he will and intends to return said list containing the names aforesaid, and the names of a large number of other women as voters, all of which would be in violation of law and of the rights of affiant, and all other lawful voters.

Wherefore affiant prays for relief as follows:

For a writ of mandamus or mandate to be issued out of and from this court, commanding and directing Robert T. Burton, Assessor and Register of Voters for Salt Lake County, Utah Territory, to erase and strike from the list of voters of Salt Lake County, made by him, the names of the following persons, viz: Emmeline B. Wells, Maria M. Blythe and Mrs. A. G. Paddock, and also the names of all women whose names thereon appear as voters, on the receipt of said writ; or that he show cause before this court at the Federal Court Room, in the Wasatch Building, Salt Lake City, Salt Lake County, Utah Territory, on the 29th day of September, 1880, at 7 o'clock p.m. of said day, why he has not done so; also that in the meantime the said officer be ordered not to return said list by him made, or any copy thereof, to any election officer until the further order of this court.

GEO. R. MAXWELL,
Subscribed and sworn to [SEAL] before me, this 25th day of September, A.D. 1880.

J. MCKNIGHT,
Notary Public.

After the reading of the above, the Court promptly issued the writ of mandamus, the text of which is here given:

In the Supreme Court of the Territory of Utah.

George R. Maxwell vs. Robert T. Burton, assessor and register of voters for Salt Lake County, Utah Territory.

The People of the United States of the Territory of Utah, to Robert T. Burton, Assessor and Register of voters for Salt Lake County, Territory of Utah, Greeting:

Whereas, it manifestly appears to us by the affidavit of George R. Maxwell, a party beneficially interested therein, that you, as assessor and register of voters for the County of Salt Lake and Territory of Utah, and the various precincts of said county, have listed as lawful voters in the registration lists by you made as register of voters for Salt Lake County, the names of Emmeline B. Wells, Maria M. Blythe, Mrs. A. G. Paddock, all women; also a large number of the names of other persons who are residents of Salt Lake County, and are women, as lawful voters, and,

Whereas, it also appears that the petitioner, George R. Maxwell, is a lawful and registered voter of said county, and that he made on you, on the 24th day of September, inst.,

a demand that you strike off the names aforesaid, and the names of all women on said list, on the ground that they and each of them were not entitled to vote, and that said demand was refused, and the names of said women, and a large number of other women not named, are now in said list as lawful voters, as it was your duty to do, and that said list is now in your hands and under your control; and that there is no plain, speedy or adequate remedy at law for this alleged failure and neglect of duty.

Therefore, We do command you that immediately after the receipt of this writ, you do strike off and erase from said registration list of voters the names aforesaid, and the names of all other women listed as voters, or that you show cause before this court at the Federal Court Room thereof, in the Wasatch Building, Salt Lake City, Utah Territory, on Wednesday, September 29th, 1880, at 7 o'clock p.m. of said day, why you have not done so; and you are further ordered not to return said registration of voters made by you, as aforesaid, or any part thereof, or any copy therefrom, to any election officer until the further order of this court.

Witness the Honorable Chief Justice and Associate Justices of this Court aforesaid, this the 25th day of September, A.D. 1880.

JOHN A. HUNTER, C. J.,
J. S. BOREMAN, A. J.,
P. H. EMERSON, A. J.

[L.S.] Attested by the Clerk and seal thereof hereunto affixed.

E. T. SPRAGUE,
Clerk of Supreme Court of Utah Territory.

On Wednesday evening, therefore, at 7 o'clock, it is likely the matter will come up for discussion.

PEOPLE'S COUNTY CONVENTION.

HEADQUARTERS OF THE PEOPLE'S CENTRAL COMMITTEE FOR SALT LAKE COUNTY.

SALT LAKE CITY,
September 20, 1880.

A convention of the voters of the People's Ticket for Salt Lake County is hereby called to meet at the County Court House, on Saturday, October 2d, 1880, at 2 o'clock p.m., for the purpose of electing sixteen delegates to represent Salt Lake County in the Territorial Convention, which assembles in this city on the 7th prox., to nominate a delegate to Congress.

The convention will consist of sixty-one delegates, allotted to the several precincts according to the number of registered voters therein, as follows:

SALT LAKE CITY.
First Precinct, comprising First, Second, Third, Eighth, Ninth and Tenth Bishops' Wards,..... 7
Second Precinct, comprising Fourth, Fifth, Sixth, Seventh, Fourteenth and Fifteenth Bishops' Wards,..... 8
Third Precinct, comprising Sixteenth, Seventeenth and Nineteenth Bishops' Wards,..... 8
Fourth Precinct, comprising Eighteenth, Twentieth and Twenty-first Bishops' Wards,..... 5
Fifth Precinct, comprising Eleventh, Twelfth and Thirteenth Bishops' Wards,..... 8

COUNTRY PRECINCTS.
Mountain Dell and Sugar House... 1
Farmers' 1
Mill Creek 4
East Mill Creek 1
Big Cottonwood 1
South Cottonwood 3
Union 1
Butler and Silver 1
Little Cottonwood 1
Granite 1
Sandy 1
Draper 2
Herriman 1
Bingham 1
South Jordan and Riverton 1
West Jordan 2
North Jordan 1
Granger, Brighton, Pleasant Green, Hunter and North Point 1
Total 61

Primary meetings for the election of delegates to the County Convention will be held in the several precincts of the county at the usual places of holding elections therein, on Monday, Sept. 27th, at 7 o'clock p. m. Delegates should receive cre-

dentials, properly authenticated by the chairman and secretary of the meeting electing them.

Let the voters of the People's Ticket rally and show their strength.

By order of the County Central Committee for Salt Lake County.

JOHN SHARP,
Chairman.
THEO. MCKEAN, Sec'y.

BEAVER COUNTY PEOPLE'S CONVENTION.

BEAVER CITY,
Beaver County, U. T.,
Sept. 19th, 1880.

Editor Deseret News:

I herewith forward you a report of the People's County Convention, held in Beaver City, September 18, 1880.

There were fourteen delegates present. Mayor John Ashworth, was chosen chairman of the convention and Benjamin A. Arthur, secretary.

The convention was opened by prayer by the Hon. Joseph Myers. It was moved and seconded that a committee of three be appointed by the chair to examine credentials. Seconded and carried.

The chair then appointed the following named gentlemen committee on credentials: Messrs. Willis Copelan, of Beaver City; Edwin Eyre, of Minersville, and David Rees, of Adamsville.

The committee, after examining credentials, reported the following named gentlemen and ladies entitled to a seat in the convention:

Messrs. M. L. Shepherd, Thomas Frazer, B. A. Arthur, Willis Copelan, Edwin Eyre, John Ashworth, David Rees, Daniel Tyler, Charles Wheeden, Joseph Myers and W. J. Cox of the gentlemen, and Mrs. Sarah M. Dell, Delila Cox and Lucinda Houd, of the Ladies.

It was the unanimous choice of the convention that the Hon. W. J. Cox and Mrs. Sarah M. Dell be the delegates to attend the People's Territorial Convention to be held in Salt Lake City, on the 7th day of October, A. D. 1880; and Messrs. Josiah Rogerson and William Fotheringham be alternate delegates.

It was motioned and seconded that the delegates be instructed that is the unanimous choice of this convention that the Hon. George Q. Cannon be delegate to Congress. Carried.

It was motioned that the Secretary send a copy of the minutes of this convention to the DESERET NEWS for Publication. Seconded and carried.

Benediction by the Hon. Thomas Frazer.

BEN. A. ARTHUR, Sec'y.

ANOTHER "JACK-MORMON."

THE Omaha Herald of September 17th contains a long descriptive article by J. T. Allan, who has been on a tour through Northern Utah and Southern Idaho. It is exceedingly well written and exceptionally fair. Mr. Allan gives a good description of Cache Valley, and Logan especially, and accords due credit to the people who have settled and improved that now fertile but once barren and frost-bitten region. He describes in detail the chief places in Logan, including Z. C. M. I., the Tabernacle and the Temple, and says of the latter:

"From the walls as they now are, thirteen settlements can be seen in Cache County, which contains 14,000 people, 4,000 of whom reside in Logan. Standing at this elevated position, with the whole of the town in sight, with its fine public and private buildings, its neat cottages, shade trees, and orchards, I must say it is the finest looking town I have seen in the west."

He speaks of the products and facilities of the valley, and goes into ecstasies over the fruit, and the splendid orchards in which grow all the best varieties of the apple, peach, plum, apricot, pear, grape, small fruits, etc., and adds:

"Speaking of the present growth and prospects for the future, the activity of every one, for I did not see an idle man or loafer, I thought perhaps one cause might be assigned, and that is in this place of 4,000 workers there is not a saloon. Druggists are not allowed to keep it, or doctors prescribe it, consequently perfect order prevails. I saw no police, or any need of them."

It appears that the gentleman has spoken truthfully about this Territory and its people before, and, as a natural consequence, has been subjected to abuse from our enemies; for he says:

"The last time I said anything in favor of the prosperity and thrift of the Mormon people, a Salt Lake paper called me a 'Jack Mormon'—that is, one who does not belong to them, but is willing to do them justice and tell the truth. A few days ago they conferred the same title on Gen. Sherman, so I do not feel so bad about it. No reasonable man can come out here and see how they have redeemed such a great extent of barren sage brush land, making it produce rich harvests of the finest grain and fruits, who will mix with the people, high or low, but will say, 'I never met a more social, hospitable and industrious people.' Such has been my experience after repeated visits to different places in Utah."

We regret that we have not sufficient space to reproduce the whole letter, which is too lengthy for our columns and enters into details which have already been given to the Utah public. Mr. Allan is evidently a gentleman who travels with his eyes open and does not allow them to be filmed over with prejudice nor spectated by the colored glasses of bigotry. Such men are always welcome among the old settlers of Utah.

From Despair to Gladness.

Mr. Giles Carter, a well known citizen of Rochester, N. Y., has just given the following card to the public: For about two years my wife has been troubled with something and we could not imagine what she had frequent flashes of heat, followed by severe sweats, both night and day; her back troubled her a great deal, and any exertion seemed to utterly prostrate her. She drank large quantities of water without seeming to quench her thirst in the least, and kept getting worse and worse all the time. We employed the services of a physician, but without benefit, not even learning what was the matter with her. Finally, noticing a peculiarity in her urine, I had it examined, and boiling, reduced it to molasses, about half in quantity to the amount of water used. I at once wrote to her brother, a physician in the East, who pronounced it "Sugar" or (Saccharine) Diabetes. He said he knew of no cure for it, and that she probably could not get well; that she might live for a few years, but would get worse and worse all the time.

At this time, and when we were in despair, I saw Warner's Safe Diabetes Cure advertised, purchased a bottle and my wife has continued using it until she is now perfectly cured and as well as she has been in years. I consider Warner's Safe Diabetes Cure a blessing and boon to humanity. sw & w

A Mother's Grief.

The pride of a Mother, the life and joy of a home, are her children, hence her grief when sickness enters and takes them away. Take warning, then, that you are running a terrible risk, if they have a Cough, Croup or Whooping Cough, which lead to Consumption, if you do not attend to it at once. SHILOH'S CONSUMPTIVE CURE is guaranteed to cure them. Price 10 cents, 50 cents and \$1.00. For lame Back, Side or Chest, use Shiloh's Porous Plaster. Price 25 cents. Sold by Z. C. M. I. Drug Department, wholesale and retail, Salt Lake City, Utah. 2 dsw

The Best I Ever Knew Of.

J. G. Starkey, a prominent and influential citizen of Iowa City, says: I have had the Dyspepsia and Liver Complaint for several years, and have used every remedy I could hear of, without any relief whatever, until I saw your Shiloh's Vitalizer advertised in our paper, and was persuaded to try it. I am happy to state that it has entirely cured me. It is certainly the Best Remedy I ever knew of. Price 75 cents. Sold by Z. C. M. I. Drug Department, wholesale and retail, Salt Lake City, Utah. 2 dsw

J. A. BAILEY, Land Agent, Salt Lake City—Write to him enclosing stamp and he will give information FREE about Land Matters. s w

1880.

A few Laws of Utah, session of 1880, for sale at this office. Mailed on receipt of price, fifty cents. dsw