

committed the act constituting that offense under a claim of plural or polygamous marriage; the reply was, No; whereupon the district attorney challenged the jurors for bias, and the judge sustained the challenge, and directed the jurors to leave the box, although there was not a line of pleading or record, nor a word of counsel or client by which the judge could judicially conjecture, much less know, that the defendant would set up any polygamous marriage as a defence to the charge of adultery."

By his rulings four good citizens of the highest respectability were denied the right to sit on juries, and in the case of one of these—Mr. Wm. Naylor, who declared to the court he had but one wife—the precedent was established that for no other offense than purely religious belief American citizens with one wife, or no wife at all, may be deprived of their most sacred, fundamental rights.

We by no means believe that polygamists cannot commit adultery, and the offense is considered of the gravest character. The Territorial law is—

"Every person who commits the crime of adultery shall be punished by imprisonment not exceeding twenty years, and not less than three years, or by fine not exceeding one thousand dollars, and not less than three hundred dollars; or by both fine and imprisonment at the discretion of the court. And when the crime is committed between parties, any one of whom is married, both are guilty of adultery, and shall be punished accordingly. No prosecution for adultery can be commenced but on the complaint of the husband or wife." (Page 53, Laws of Utah, 1870.)

Hawkins was convicted on the sole evidence of his wife, who, in despite of the protest of counsel, was permitted by Judge McKean to testify in the case, and the precedent was established by decree of the Judge, that a wife might testify against her husband.

In the celebrated Englebrecht liquor case, Chief Justice McKean presiding, out of 62 jurors summoned by the U. S. Marshal on an open venire, only four were "Mormons," and these four were challenged off.

Accident and Narrow Escapes.

CENTREVILLE,
May 5th, 1874.

Editor Deseret News:

Yesterday Bishop Smith, of this place, was driving a spirited team, hitched to the running gear of a wagon, with a board across the bolsters, on which he was sitting. In passing a house by the side of the main road leading north, a dog sprang out, unnoticed by either the Bishop or the team, until he was right at the horses' heels, and either from his biting or his furious noise the team became uncontrollable. The Bishop pulled vigorously upon the lines for some distance, when one of the horses became detached from the wagon, the tongue fell, and running into the ground threw the wagon into the air the full length of the tongue, and the Bishop still higher. He came down in front of the wagon, striking on his head and hands. Fortunately, however, he fell on a bed of sand and gravel, that had been washed on the lower side of the road. Had he fallen on the upper and hard side of the road, doubtless it would have killed him. Notwithstanding, one side of his head and face, as well as his body, is severely bruised and he suffers much pain. He hopes, however, to so far recover as to be able to attend some part of Conference. We sincerely sympathize with the Bishop, and hope that his injuries are not of a dangerous character.

A lady came near losing her life from a similar cause in this place lately, by a dog running and taking one of the animals by the nose, causing the team to become almost unmanageable. We should be glad if the ordinance in relation to dogs extended north, as far as through Centerville at least.

W. R.

CANNED RHUBARB.—The family of Jessie Atwell were nearly all taken violently sick, immediately after dinner, with all the symptoms of poisoning. A physician was promptly called, and fortunately no serious results followed. Mr. Atwell attributes the poisoning to a pie made from canned rhubarb, as none of the family was affected except those who had eaten of the pie.—*Reno Crescent*.

The Indians.

PROGRAMME OF GEN. POPE'S SUMMER CAMPAIGN IN NEW MEXICO.

HEADQUARTERS District of
New Mexico, Santa Fe,
N. M., April 23, 1874.

[Special Order, No. 35.]

1. In compliance with paragraphs 7 and 8, special order No. 54, headquarters Department of the Missouri, the troops in this district will at once prepare for field operations.

2. Major A. J. Alexander, Eighth Cavalry, in command of Companies B, L and M, Eighth Cavalry, will leave Fort Union on the 5th of May and proceed to Fort Bascom, on the Canadian, at or near which place a summer camp will be established. The command will carry with it all quartermaster's and subsistence stores, and camp and garrison equipage necessary for the establishment of the camp.

3. The Chief Quartermaster of the District will give the necessary instructions for supplying the command with forage.

4. A. A. Surgeon W. O. Taylor, U. S. Army, and Hospital Steward Girard Opeviz, U. S. A., will accompany the command.

5. The movable column, under command of Major W. Redwood Price, Eighth Cavalry, will consist of Companies C, E and K, Eighth Cavalry, composing part of the garrison of Fort Wingate, and Company H, Eighth Cavalry, stationed at Fort McRae. A. A. Surgeon C. A. Sewall will accompany the command.

6. The commanding officers of the posts indicated in paragraph eight of Special Orders No. 54, above mentioned, will see that the orders of the Department Commander are strictly carried out.

7. The cavalry companies at Fort Bayard will be kept constantly on the move, scouting the country to the east and south of that post, as far as the Arizona and Sonora lines, in such manner as the post commander may direct.

8. The cavalry companies at Fort Stanton will be constantly on the move, scouting the country to the east and south of that post, as far as the eastern and southern line of New Mexico.

9. All Indians found off the reservations will be promptly attacked and compelled to return.

10. The troops stationed at Fort Garland will be employed in such manner as, in the estimation of the commanding officer, may be required to keep the Indians quiet.

11. The Quartermaster's Department will furnish the necessary transportation to carry out the foregoing orders.

By command of Col. Gregg.

(Signed) J. H. MAHNKEN,
A. A. General.

—Missouri Democrat.

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Respectfully yours,

EDWD. HUNTER,
L. W. HARDY,
J. C. LITTLE.

WANTED to know the whereabouts of the children of Thomas Gaston, of Fountain County, Indiana, by their cousins. Address letters to Box 708, or call at the St. Charles Hotel, Salt Lake City, half block west of Valley House. w123

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