EVENING NEWS. ablished Daily, Sundays Excepted, AT FOUR O'CLOCK. PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY CHARLES W. PENROSE, EDITOR Feb. 6, 1883. Tuesday, CHALLENGING GRAND JURORS ignominy or oblivion. In the Third District Court, yesterday, during the empanneling of s grand jury, Zera Snow, as assistant THE CONSTITUTIONAL RIGHTS Prosecuting Attorney, questioned OF TERRITORIES the persons drawn as to whether they had cohabited with more than one woman in violation of the Edof February 4th: munds law. Objection being made to this proceeding, E. T. Sprague, "Judge Black in his argument acting for District Attorney Van Zile, explained that under the eighth section of the Edmunds law, no polygamist, bigamist or person cohabiting with more than one woman is entitled to held any office or human legislation applies. The place of public trust, honor or emol-Mormons have the right to make ument in this Territory, and it was their own laws on the subject. The right belongs by nature, and it is a great principle of universal law to every separate community to settle upon the public lands with the condesirable to learn whether any of the persons drawn for grand jurymen were thus disqualified. He considered that he had the right to test the sent of the Federal government. qualifications of the men present-ing themselves for this important position, by questions in regard to His Honor, Judge Hunter, ruled the freedom of the individuals that their practice or belief in polygamy. compose it. This was the very principle that triumphed in the that a juryman was not incapacitated from serving under the section success of our revolution. No one of the law referred to, unless he can deny it, except for occasion, had been convicted of either of the which would have made him a Tory in 1776. The right of local self. offences named. But, he added, if the Prosecuting Attorney would in-form the Court that he expected to bring, during the present term, a prosecution for polygamy, bigamy or unlawful cohabitation, he would allow such challenges as that officer demanded. Mr. Sprague could not of that name certainly did not say definitely that he expected to have any prosecutions under the Edmunds law during this term. Territories. Judge Black denounc-

For this the public may expect that the Judge will be blamed by the radica's. To gain or keep their favor he must rule all the time ac-cording to their extreme notions

less legal propositions and disputes. of the most enterprising of the But though this difficulty exists, countr, 's citizens, is deserving of the the Judge who has staming enough support and encouragement of all to stand by his own convictions of lovers of freedom and equal rights. right, reached by duly weighing law And if in his patriotic labors he is and reason, unswayed by clamor or incidentally defending an unpopular fear of blame, will, in the end, pre- community, that ought not to affect vail and gain the regard of all peo-ple whose opinion is worth having, and what is more to a great mind, side of constitutional freedom and

will preserve his own self-respect human rights, and in opposition to and the consciousness of rectitude. that centralization of power which He who maintains the right will is the most potent force at work for eventually triumph, while he who the destruction of the grandest sysbends to the favor of a clique or the tem of government ever organized wrath of the rabble will go down to by man.

Let the haters of the "Mormo howl if they please; let those who

have set their wits to work to bring this fair Territory under complete

bondage to a set of grasping abven-THE telegraph brings the following turers, cast their filth at the great news from Washington, under date jurist who is vindicating popular rights and constitutional law; but

e. let all people who wish for the mainfore the House judiciary committee against the constitutionality of anti-Mormon legislation, took the ground that the matters to which these laws relate were in their na-ture more purely domestic, private and local than any other to which "Mormons" should come in for their the Territories their constitutional "Mormons" should come in for their share of that liberty which ought to

> be enjoyed by all. BY TELEGRAPH

FEL WRITTER UNION TREATE LINE. AMERICAN. LATEST BY LIGHTNING. Herr Most.

PHILADELPHIA, 6 .- Herr Most spoke to-night before a large audiince of Germans. His remarks were warmly applauded, and a banquet succeeded the address.

Arrestes CHIGAGO, 6.-The proprietor of the local parcel and letter delivery business was arrested by federal authorities on the charge of violating the postal laws in issuing stamps to customers, to be used on letters for ocal delivery by his own employees. Polk's Bank.

NASHVILLE, 6.-Counsel for the State has entered suit to recover \$57,000 from the Merchant's Na-tional Bank of Nashville. This amount was placed to the credit of M. T. Polk, treasurer, in order, as alleged, is enable him to sustain his

not decide on a positively anti-"Mor-mon" manner, up matter how much the law may be on he side, he will be subject to "Liberal" shoes. Let Judge Hunter has decided accord-ing to law. Section Eight of the Edmunds Act does not relate "pecially to sither grant or petit juries, but dis-

pead Brussels, 6.—Senator Raphael Bi-thoff-heim, financier, is dead. Ernest Dohm, humorist, is dead. Paris, 6.—Louis Nicholas Beach-

author and grammarian, is Will be Blown Up.

Hamburg, 6.—It being found im-possible to raise the *Cambria*, the wreck will be blown up

Cabinet Conference.

Crown Prince.

Vienna, 6.- The cabinet is still conferring. The Emperor presides over the conference to-day, which will discuss army re-organization especially the increase in artillery, wherein that of Russia is known to

The Czar's Coronation Manifeste

to all Russian subjects. The ukase orders the attendance of all mar-

shals of nobility and prefects of

SUNDAY SCHOOLS

uble that of Austria. For the past 16 weeks the reigning of San Francisco. News From Hamburg.

Berlin, 6.-The collection at Ham burg for the relief of sufferers by The celebrated Dutch Comique, BONNIE RUNNELLS, the Cimbria disaster has reached Original Acts and Humerous Inter 84,000 marks. The reichatag is atil 84,000 marks. The reichstag is still discussing the budget. The Russian grand Duke Nicholas has gone to St. Petersburg and will return with the Duke and Duchess of Edinburg, and be present at the festivities in. honor of the silver wedding of the All the Great Favorities,

ias Flora Moore, M'lle Alphousine S ST. FELIX SISTERS B Chalst, Prof. Sam Gardner.

4. DIAMONDS 4. , Brevarde, Gilmoro and Sawtell COMBINATION OF MERIT UNEQUALLED!

Prices as usual. No extra charge for Re-served Seats. Box Office open Monday, Feb. 5tb, at 10 a. m.

HAVERLY'S

St. Petersburg, 6.—The Czar has issued a manifesto, giving notice of his coronation at Moscow on May 28th. The manifesto is addressed HEALTH IS WEALTH! provisional capitals, except those of Siberia, whose absence is excused on account of the distance, and the prefects of rural and urban adminis-trations.



WE GUARANTEE SIX BOXES

antee to refund the money if the treatment does not effect a cura. Guarantee issued only by Z. C. M. I. Prug Store, Sait Lake, (1) d&s

Superintendent T. C. Griggs realleged, is enable him to sustain his statement of the condition of af-fairs in his office to present to the special committee appointed by the Legislature of 1882. This entry of the bank stops them from deny-ing the indebtedness. The Fisceds. AKRON, O., 6.—The total loss by the floods in this city and county was previously reported at \$100,000.







usual singing exercises by the Fif-teenth Ward Choir, led by Supt. T. C. Griggs. Prayer by Elder William L

Minutes of the January meeting

read and approved. Big Cottonwood, Draper, Farmers' Ward,Sugar House and most of the city Sunday schools were repre-sented.

 SUNDAY SCHOOLS.

 THE MONTHLY MEETING OF THE UNION.

 Pursuant to adjournment the regular meeting of the Sunday

 School Union convened last evening in the Assembly Hall, Assistant Superintendent Geo. Goddard preside.

 WE GUARANTEE SIX Reveals and the Sunday

Bervices commenced with the by us for six boxes, second anied with \$5.00,

gard to the special legislation dequalifies any polygamist, bigamist, signed to suppress the system known or person cohabiting with more as "Mormoniam." But he is able than one woman or woman cohabto endure all that and much more iting with either of the aforesaid, from voting at any election or holding any office either in the Territory or under the United States. But how is the fact to be ascertained? The law provides for no inquisition such as the Prosecuting At- date for public plaudits or canvasser torneys wish to institute, and no for public office. He is acknowledgcatechism such as they have tried ed as the foremost constitutional to formulate. Conviction of either lawyer of his time, and can afford to pass on his way heeding not the of the offences named would disqualjibes or the anathemas of the lowify, but suspicion or hearsay would lived or the con-piring. not, and the accused person cannot Judge Black stands as the chambe compelled to give evidence

against himself. Further, the Edmunds law makes ral rights of the people against the Further, the Edmunds law makes special provision in regard to persons drawn to serve on juries, in the induced spectral drawn to serve on juries, in the induced spectral drawn to serve on juries, in the induced spectral authority. He is not merely defend-in allowed against any person drawn or summoned as a juryman or tales-man, as to his practice or belief in the rightfulness of polygamy, bigs-my or cohabitation with more than one woman. But this is only in case of a prosecution for either of this that Section Eight is not in-tanded to apply to the empanneling of a jury, also that the application of Section Five is restricted to prosencroachments of excessive Federal special provision in regard to persons of Section Five is restricted to pros-esutions for polygamy, bigamy or which the Constitution is based to

unlawful cohabitation. ing the people of the Territories out-In refusing to permit challenges under Section Eight of the Ed. side its pale. It makes Congress munds law, then, Judge Hunter was clearly in the right, and we do not think any lawyer would dispute monstrous doctrine, utterly at vari-to the supreme and the citizans of Terri. tories politically impotent. It is a monstrous doctrine, utterly at vari-to those bought from other factories. that fact unless it were for a pur- ance with the institutions of our

pose. But, in our opinion, His country and hostile to the Declara-Honor would be wrong in permit- tion of Independence and the S ting any challenges at all of that preme Law of the Land. nature to a grand jury. The law The excuse on which the absolute plainly provides for such challenges power of Congress over the Terri-

only in cases of prosecution for tories is predicated is of the most either of those three offences. There filmsy character. That power has can be no such prosecution until an been allowed to prevail and grow inindictment is found. A grand jury to a shameful abuse by the force of must first consider the matter. No might over right. That excuse is grand jury is empanneled for the entirely comprehended in a very

special purpose of indicting polyga- strained construction of the clause mists, bigamists, or persons cohab- of the Constitution in Article Four, iting with more than one woman. which says, "That Congress Vails that the army does not like Grand juries are required to per- shall have power to dispress to this effect will be given to Prest. form a variety of duties, and to en-quire into all kinds of offences. How can a grand juror be excluded from inquiring into a case of larceny, or United States." The very language assault, or murder, under the provi-sions of Section Five? It cannot the inferences that have been will be liberated on Tuesday. lawfully be done. It is evident drawn from it. Can Congress "dis-

LITTLE ROCK, 6 — A special from the Cheyenne and Arapahoe Agency of Indian Territory, learned that eastern capitalists and stock men to endure all that and much more. It makes little difference to him how much the priests and the press writers disclaim against him. He has a national reputation. His posi-tion is assured. He is no candi-date for public plaudits or canvasser for public office. He is acknowledg-ed as the foremost constitutional

anticipated, as the Indiane are unan-imous in the matter. It is expected that prompt action will be taken in the case as it assures a yearly in-come fund of nearly \$10 per capita for every man, woman and child on the reservation out of a portion of it that yields nothing towards the support of the Indians. Song," by the 15th Ward Glee Club, which was very creditably ren-dered. Superintendent Goddard said that to his mind nothing so much con-duced to the success of a Sun-day school as the prompt and punc-tual attendance of officers and scholars' and good governpion of the constitutional and natu-

Bailroad Wreek

Indian Shoamakers

apply only to organized States, leav-LITTLE ROCK, 6. — Among the goods distributed as annuitles to the Cheyennes and Arapahoes by Lieut. Tebten, were 200 pairs of shoes made



FOREIGN.

LATEST TRANS - ATLANTIC DIS-PATCHES.

Uneasiness Increasing. PARIS, 6.-Public uneasiness in increasing. The impression pre-valls that the army does not like the expulsion bill and an intimation

\$125. A BOD FRONT, 10 BODS BACK, and Sixth South Streets. from the wording of the law that the challenges allowed are provided for the trial juries only in the prose-cutions named. The District At-torney does not know whether there Irish Items. For TENTH WARD SQUARE, IWENTY \$1600, A GOOD SPECULATION. TWO In the Probate Court in and fo Plat of Liberty. Fack, showing the present condition of the grounds, location of houses, etc., as filed at the City Recorder's Office for etc., as filed at the City Recorder's Office for Salt Lake County, Territory of Utah. 2250. A FIRST CLASS BUILDING S. J. LYNN, will be any prosecutions under the to do as it pleased with the people libel. Counsel promised further IN THE MATTER OF THE BETATE OF sed to Conters OF CHLOE L. SPENCER AND CORDELIA corders OF Committee on Public Grounds, Re Office, City Hall. d 62 1w LUMBER YARD ed into the accusation and found a country outside of the States. The A man named Marray was ar-Salt Lake. AND PLANING MILL. SPENCER, MINORS. true bill or ignored the complaint. When an indictment is found, then a jury is empanneled for the purpose of trying that particular case, and under Section Five of the Edmunds Act challenges may be allowed, so that no person who 2500. A SPLENDID FARM, SI miles from city, 100 acros, we meed, good water right, 75 acres in wheat. stice by Clerk of day fixed for hearing is turn of Sale of Real Estate. \$700. THIRTY ACRES OF GOOD stry, all remoted, water right, is harded in wheat. \$3000. Land, two and a half miles from sity, all remoted, water right, a bargain. \$3000. A NEW BRICK ROUSE OF 4 harge block cellur, all furnished in good style ready for coscupants, in a tony part of the lith ward. SUANT TO AN ORDER OF SAID Jourt, made on the 6th day of February, notice is hereby given that Elizabeth February, act, guarding of the persons and estates here L- and Cordella Spancer, minore PAINTERS, CONTRACTORS. BUILDERS Paper-Hangers, Calciminers, Etc. allowed, so that no person who come the seat of government, and either practises or believes in the such places as may be purchased by Berlin, 6.-Bismarck doubts that is rightfulness of the offence charged the consent of the Legislatures of he will be able to attend the Reichsightfulness of the offence charged the comment buildings. Thus limited, it is extraordinary how Congress has been permitted to encroach upn the rights of the people who are found-income States of former times would kill me. \$600. A FARM OF 8 AORBS IN SEC. stans, 1 acres orehard, all surn, a house of 3 rooms and summer m, ample water right. A FINE STUCK OF WHIL CEILING & DECORATIVE PAPERS \$3000. A NICE HOME I 1-2 BLOCKS P NEWEST PATTERNS. 8000. MODERN HOUSE OF S aid lot; and running ALSO, LIURASED HAVE ALSO A NUMBER OF PLUMBERS. inughter of Syste. FITTERS. has obtained here is, that the Court section and congressional suprem 6.-The Ratab of Jav Houses Rented, Loans Negatiated, and Collections Made. as well as its officers is arrayed over citizens | outside of States raised the land rev against a system existing here. To use the foolish words of a partian Judge now deceased, "It is Federal Authority against Polygamic Theo-House dited up with HOT and COLD ATER SERVICE. P.umters superial al-ESTIMATES GIVEN AND CONTRACTS MADE FOR ALL KINDS OF BUILDINGS. redress. The Rejab THOMSON'S REAL BETATE AND LOAN AGENCY, a First South St., West of Main BF P . SOL. 101. Jobbing Work a Specialty. Wood Tanks of all Descriptions Made to Order. Estimates given on shortest sotios. Satisfaction guaranteed. Orders promp modent to. Terophone as office, cracy," in which the Judge is sup-posed to represent the former at war with the latter, instead of an papartial athlier of cold and passion. done to a large another Be in STAIR BUILDING A SPECIALTY. 1990 Second South Street, titlenned and her shitter Weith () AND AT RESIDES Half Block fouth U. O. R. R. Depet. S. J. LYNN, PUPP.

Edder A. H. Cannon gave an in-teresting lecture on the int: oluction of the Gospel into Germany, and the progress of the work up to the present day. The Prophet Jeseph Smith predicted that Germany would yield its thousands to help build up God's kingdom,s prediction

now about to be realized. The work was first taken to Ger-210 California Street,

Song," by the 15th Ward Glee Club, which was very creditably ren-

Whenever pu chasing be careful that you get the Pride of Japan, as it has been brought to our netice that some par-ties are imitating this popular wand, and we also caution every dealer to to offer for sale any brand of Tes which is an imi-tation of this, our Registered Trade Mark, "The Pride of Japan," with a tree or shrub, as we have taken the recessary legal steps to protect this Trade Mark, and shall proceed in due course sgainst anyone infringing on our right. scholars and good govern-ment in the classes. He prgthe officers and teacher

FIREMAN'S ANNUAL RE-UNION. THE FIRE DEPARTMENT TAKE pleasure in announcing to their many riends that they will give a

GRAND CONCERT

The secretaries of the different Junday Schools were urgently re-quested to forward their quarterly GITY HALL, THURSDAY EVE., FEB, 0, '83. On which occasion many of the leading favo rites will appear in Songs, Resitations.etc.

reports. It was announced that at the **GRAND TORCHLIGHT PROCESSION** March meeting of the Union Elder George Reynolds would deliver a ill take place in the evening, headed by the Froman's Brass Band, under the leader-ship of Mark Crounil, Esq. sture on "The Geography of the Book of Mormon.

The Sunday School of the 16th Ward will furnish vocal and in-strumental music, and also door-TICKETS admitting Gentleman and Lady to Concert and Supper, 82.00. EF Tickets for Sale at Music Stores, of Caroless & Crozall, D. O. Calder and J. Dwyer's, Raybould's, C. R. Savage, Daynes & Coalter and of the Committee. keepers at the next meeting. Closed with an anthem. Benediction by Elder M. F. Cow-ET A cordial invitation is extended to all J. H. P. NOTICE OF REMOVAL. Plans for Improving Public Parks. The Wasatch Drug Store will re-move to the store room just vacated by Cohn Bros., No. 102 Main St., on or about the 12th inst. DURSCANT TO AUTHORIZATION the City Council, the Co

TEN DOLLARS.

For WASHINGTON SQUARE, TWENTY

Come and see us. MOORE, ALLEN & Co. Public Grounds will receive plans for improv-ing and beautifying Liberty Park, Pioneer, Washington and Tenth Ward Squares, at any time on or before the 16th day of March, 1883. Plans reported by the Committee and ap-proved by the City Council are entitied to the following Premiums, to wit: DIED.

SwENSON .- At Pleasant Grove, Utah Com y, January 7, 1893, the beloved wife of Kaud For LIBERTY PARK, ONE HUNDRED is, aged 23 years, 10 months DOLLARS For PIONEER SQUARE, (partly designed)

Skandinavian papers please copy.

DOLLARS. NOTICE.



JAS. THOMSON.

WE MEAN WHAT WE SAY. 200

WW.JENNINGS SUNS

SAN FRANCISCO, CAL. Our Large Stock of Retail Dry Goods MUST BE CLOSED BY MARCH 20TH. '83.

We are Closing our Retail Dry Goods Department, and propose to carry on an Exclusive WHOLESALE BUSINESS in DRY GOODS and GROCERIES, and in order to make room for our immense Spring Purchases we offer our Stock

COST FOR CASH!

Call and Secure Bargains while you have a chance.

