

GILMER & SALISBURY'S
Stage Lines
Montana and South-east Nevada
Leave Ogden, Utah, daily, running
North to Salt Lake City, Reno, Nev.,
Benton, Deer Lodge, Cedar Creek, Minn.,
and passing through all the principal towns
and returning to Ogden.

WELLS, FARGO & CO. BUILDING
SALT LAKE CITY.

UTAH CENTRAL RAILROAD
Pioneer Line of Utah.

ON AND AFTER JANUARY 1ST, 1874,
Daily Trains

| Name of Station | No. 1. P.M. | No. 2. P.M. | Fare. |
|-------------------------|-------------|-------------|-------|
| Trains leave Salt Lake. | 6:00 AM | 3:00 PM | |
| Woods Cross. | 6:20 " | 4:00 " | .50 |
| Centerville. | 6:30 " | 4:10 " | .75 |
| Farmington. | 6:50 " | 4:30 " | 1.00 |
| Kaysville. | 7:00 " | 4:40 " | 1.25 |
| Arrive at Ogden. | 7:50 " | 5:40 " | 2.00 |
| Trains leave Ogden. | 8:40 AM | 5:30 PM | |
| Kaysville. | 9:30 " | 7:10 " | 1.00 |
| Farmington. | 9:50 " | 7:30 " | 1.25 |
| Centerville. | 10:00 " | 7:40 " | 1.50 |
| Woods Cross. | 10:10 " | 7:50 " | 1.75 |
| Arrive at Salt Lake. | 10:40 " | 8:30 " | 2.50 |

MIXED TRAINS
WILL RUN DAILY, Sundays Excepted.

Leaving Salt Lake City at 8:30 a.m. and 5:00 p.m., and Ogden at 5 a.m. and 8:30 p.m.

For all information concerning freight or passenger apply to
JOHN SHARP,
GEN. SUPERINTENDENT

UTAH SOUTHERN RAILROAD
ON AND AFTER JULY 25th, 1874,
Daily Trains

| Name of Station | No. 1. P.M. | No. 2. P.M. | Fare. |
|-----------------------------|-------------|-------------|-------|
| Trains leave Salt Lake. | 6:00 AM | 3:00 PM | |
| Little Cottonwood Junction. | 6:10 " | 3:10 " | .50 |
| Arrive at Sandy. | 8:15 " | 4:15 " | 1.00 |
| Trains leave Sandy. | 8:30 AM | 4:30 PM | |
| Provo. | 8:40 " | 4:40 " | .75 |
| Arrive at Ogden. | 10:45 " | 6:45 " | 2.50 |

FREIGHT TRAINS
WILL RUN DAILY, Sundays excepted.

For all information concerning freight or passenger apply to
F. LITTLE,
GENERAL SUPERINTENDENT.

UTAH NORTHERN RAILROAD.
Trains leave Ogden daily at 8:00 a.m., 11:00 a.m., 1:00 p.m., 3:00 p.m., 5:00 p.m., 7:00 p.m., 9:00 p.m.

THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD
The Great Central Iowa Short Line Railroad and West, is the

PACIFIC & ATLANTIC
Des Moines, Rock Island and Chicago.

C. P. R. R.
ON AND AFTER MONDAY, SEPT. 22nd, 1874, trains will leave Ogden daily at 8:00 a.m., 11:00 a.m., 1:00 p.m., 3:00 p.m., 5:00 p.m., 7:00 p.m., 9:00 p.m.

100,000 SHINGLES!
Pascoe's Lumber

Cedar Posts in Large Quantities
Lumber and Shingles

LIQUID BLUEING, and it is also a dye for all colors. It is the best and most reliable dye on the market.

TRADING STORE
SALT LAKE CITY

THE EVENING NEWS.
Wednesday, August 13, 1874.
Corrected daily by DEWEY NATIONAL BANK.
SALT LAKE CITY, August 13, 1874.
Shipping at \$1.00; Selling at \$1.10.

SPECIAL BUSINESS NOTICES.
NOTICE.

To the citizens of Salt Lake and vicinity: The Rocky Mountain Coal and Iron Co. have resumed business again, and are now prepared to furnish all with coal. Leave your orders at the office, 100 Kimball Block, or at the yard, and lay in your winter's supply of fuel. We are also agents for the Evans Lumbering Co., and will furnish Lumber and Shingles in any quantity, at reduced prices.

HONOR TO WHOM HONOR IS DUE. A sense of duty impels me to say that Dr. C. W. Higgins' medicines have done for me what no other physician has been able to do. I have suffered for eighteen terrible years with the worst form of epilepsy fits and have been treated by the most eminent physicians of Europe, but without relief. I have also had the advice of some of the local physicians in this City, but until eight weeks ago, when Dr. C. W. Higgins tried his new and wonderful method of treatment, I had given up in despair, having been subject to these fits every six or nine days for fifteen years, and since Dr. H. took my case in hand I have not had a symptom of them, and I wish to make known far and near to every one afflicted with this awful malady the physician that cures. John Worthington, Second South Street, 14th Ward, Salt Lake City.

DURVEY'S "Satin Gloss Starch" and Durveys' "Improved Corn Starch" is the best in the world. Use it once and you will use no other.

MILWAUKEE, June 15, 1872.—After using Durveys' Starch in my hotel laundry for ten months, I can recommend it as being the whitest, strongest and most glossy starch I can purchase.

LANSING BONNEL, Proprietor Newhall House.

FOUND a purse of money, &c. The party that lost the same, by proving property and paying for notices, can get it by applying to Morley Dunford, at Dunford & Sons' boot and shoe store.

WASATCH WEBER COAL.—We give notice to our many friends, that the above Coal is in the market again, and will be sold, wholesale and retail, as cheap as the cheapest. Leave orders at Globe Bakery or P. O. Box 113. Office at Yard.

DR. C. W. HIGGINS, Dear Sir.—I have used a portion of the medicines you prepared for me and am much gratified in informing you that I am well. I have faith in your remedies and can with pleasure recommend them to all who are suffering from the want of proper medical treatment. Your liniment cured me of neuralgia at once, and my other complaints have all left me now, never to return. I hope, if they do I shall call on you at once. I consider your remedies truly wonderful.

I am with respect,
MRS. B. S. REHNSTROM.

Tenth Ward, Salt Lake City, Aug. 14, 1874.

DR. C. W. HIGGINS.—Dear Sir,—Permit me to add my testimony to your professional skill. Your medicines have cured me of a very bad case of gravel. I suffered intensely for a long time, and could get no relief until I took your medicines, which gave me relief at once, and a cure in a few days. I remain, your friend and admirer, Mrs. S. H. Hyde, 7th Ward.

PASTURE.—I wish to inform Bro. Savage, and the rest of mankind, that I have left my "magnificent herd ground over Jordan," and have rented H. O. Spencer's Excellent Pasture. Terms \$1.50 per month.—GEO. ANDERSON.

ROBINSON WEBER COAL, \$2.50 per ton at the Depot. Leave orders at Savage's Photograph Gallery, Equine Barber Shop, and Fred May at 12th Ward Meat Market.

W. SALMON, Sole Agent.

NOTICE TO EVERYBODY.—We take pleasure in informing our patrons and the public in general that we have removed to a new and commodious store, No. 85 Main street, next door to the First National Bank, where, with increased facilities, we are enabled to show a stock of clothing, furnishing goods, etc., to a better advantage and at lower prices than any house in the Territory. We also call the special attention of the wholesale trade to our immense stock.

STREET BROTHERS.

H. WALLACE, opposite the Salt Lake House, East Temple Street, has the best Ice Cream in town and the coolest saloon.

For Chicago, New York, Boston, Philadelphia, and all points East. The best route by all the leading and popular Chicago and North-Western lines.

M. H. Davis, at White & McCormick's, will sell you tickets by this route and give you all information.

MOTHERS.—Make your children happy. Buy them each a pair of the celebrated shoes stamped on the sole, Sellers & Co., Philadelphia.

NOTICE TO THE PUBLIC.—We are determined not to be undersold by anyone. We will guarantee to sell the best Wagons in the market, all complete, top board, lazy back, to suit top back boys, California bays, top chains and 3 tires, \$1.00; Wagons, \$1.00; and 3 tires, \$1.00. A written guarantee given with every wagon for one year. A liberal discount given to dealers.

W. H. SHELL.

The undersigned having removed to 24th Street, 3rd East St., in the 5th Ward, will there carry on his profession as a Homeopathic Practitioner, and hopes to obtain the continued patronage of his former patients, as well as that of others. Electricity when required, applied through Dr. Kidder's Superior Vitalizing Electro-Medical Apparatus, which in many cases assists and materially shortens the curative effect of Homeopathic treatment.

The 3rd South Street cars pass within half a block of the residence. J. P. MERK, Homeopathic Practitioner.

WHERE is Dr. C. W. Higgins' office? It is two doors north of the Walker House.

WALLACE has opened his new Confectionery Store, opposite the Salt Lake House, with the best and purest candies made.

LOCAL AND OTHER MATTERS.

Thermometer 79 degrees F. In the shade, at 1 p. m. to-day. Showery.

NOTICE!

MONEY can be forwarded from Salt Lake City to Liverpool as late as the middle of September for the company that will leave that port on or about the 14th of October, which will be the last company this season.

ALBERT CARRINGTON, President of P. E. Fund Company.

Our Expressman is a monthly octavo magazine of 16 pages, devoted to the express fraternity at large, and published by J. Henderson, 67 West South Street, Cincinnati.

Horticultural.—We are requested to announce that the members of the Horticultural Society will meet this evening, at the office of Stout & Burmeister.

Rapid Growth.—This morning Mr. T. H. Roberts, one of our types, brought to the Office a fine cucumber, of the "General Grant" kind, which is twenty inches in length, and eight inches in circumference, and only commenced to grow twelve days ago. It was raised with a quantity of others similar, on his lot, in the 30th Ward. Cucumbers of this kind are nearly seedless.

Regency Meeting.—Last night there was a meeting of the Chancellor and Board of Regents of the University of Deseret, at which it was plainly manifested that there was a determination on the part of the regency to place that valuable educational institution in a most desirable condition in every particular. A quantity of excellent chemical apparatus has been purchased for the purpose of imparting instruction to the students in practical chemistry, by means of experimental illustrations. The library, before mentioned in the News, comprising 2,100 volumes, will be open, during each day of the academical year, from 4 to 10 o'clock p. m. for students, and we understand that it is also designed to open it to the public. This library will be a valuable auxiliary to the University. Several committees were appointed at the meeting, with a view to the transaction of all necessary business with expedition without the necessity of waiting for the regular meetings of the Board.

Repairs and alterations, both on the exterior and interior of the University building, are now in progress.

"Hoodlumism."—On Monday night a newly married couple were spending the evening with a few friends at the house of the bride's mother, in the 10th Ward, when, about nine o'clock, three sawed, yells and shrieks, accompanied by the rattling of tin cans and other discordant and barbarous noises. The cause of this was that between twenty and thirty young rowdies, ranging all the way from fifteen to considerably over twenty years of age, had commenced to "charivari" the young couple. Thinking that the crowd could be induced to go by being well treated, the people in the house regaled them, and asked them to go away, but the immemorial screams kept up the row for nearly two hours, with but slight intermission, and insulted and yelled at several people who mildly reprimanded them with them. One of the inmates of the house held a light near to them so as to enable him and others to recognize them. Yesterday a complaint was very properly entered against them at the Police Court, and some of these uncouth fellows were arrested, and were to be tried, before Alderman Tupper, this afternoon.

It is to be hoped that an example will be made of those persons. The "charivari" business is ungentlemanly, uncouth, disgraceful and barbarous. It is a gross insult to the parties who are the victims of the nuisance, and should not be tolerated in any civilized community. Those who indulge in it should be severely punished. It is a flagrant disturbance or breach of the peace.

A Mammoth Petition About Water.—Last evening a petition, signed by about twelve hundred residents of the 20th Ward bench, was presented to the City Council.

The document set forth the great hardship the petitioners were subjected to by the nuisance of their living a long distance from water, necessitating their carrying it from one to twelve blocks, the destruction of health and even life on account of having to use the water when stagnant; that forty-eight unsuccessful wells had been dug, at a cost of \$4,162.44, and a couple of unavailable ditches had been dug, at a cost of over \$4,000. It also set forth that a large amount of water ran to waste from City Creek, and the petitioners suggested that if a ditch

were dug from that stream to empty at the north-west corner of the bench they would, by this means, be able to use the surplus water at the times of the year when it was plentiful.

Remarks were made on the petition by the Mayor, Alderman John Sharp, Councilor J. R. Winder, and, in fact, most of the members present, all appearing in favor of affording the petitioners all the relief possible, and of making that relief permanent if at all practicable, there being a hearty feeling of sympathy with the people.

The matter was referred to a special committee, consisting of Aldermen Sharp and Groo and Councilor Little, who purpose giving the matter their immediate attention and reporting at an early day.

The preponderance of opinion in the council appeared to be in favor of bringing the waters of Cottonwood around the east bench to supply the lower wards, that the north bench might have the use of emigration and Red Butte waters, in preference to the digging of a ditch from City Creek for the utilization of surplus water, it being held that many of the people would probably, on even the prospect of a limited supply, plant out orchards, &c., which, in a dry season, might have to wither and die.

Anyhow, there appears to be a strong disposition on the part of the Council to take energetic steps in the premises for the relief of the petitioners, and if they should succeed they will do a most excellent thing. It has always been an opinion of some that the lack of water in the locality mentioned has made it particularly unhealthy, as indicated by the annually high rate of mortality in that part, compared with other parts of the City.

What is a Riot?—In his decision of the case of Belding vs. Burt, Taylor and Jones, last evening, the ideas of U. S. Commissioner Toohy did not seem to be very clear as to what really constitutes a riot. If the honorable gentleman will refer to Webster or Worcester, the two great dictionary authorities among English speaking people on this continent, he will find that a riot is defined to be "an act, tumultuous or turbulent proceedings of an assemblage of people, just this and nothing more. In view of this simple definition, of which none can suppose his honor to be ignorant, his decision is somewhat anomalous. In remarks made by him, after the close of the evidence on both sides, and before the commencement of the arguments of counsel, the court mentioned some things that had been proven to his complete satisfaction by the testimony of the witnesses for the defense, among them, that the coat of his honor, the Mayor of this city, had been partially torn from his person by an excited crowd at the polls on election day.

These same witnesses, over twenty in number, also testified under oath that there was a riot in front of the City Hall on election day, but yet his honor ruled positively that, according to the testimony, there was no riot there. Now how was this? Why should the testimony of the witnesses be acknowledged as sufficient to conclusively establish one proposition, but rejected as insufficient to establish another? It will hardly be maintained, we should think, that there is some special definition or interpretation of the term "riot" known to courts, or men of the law only, for that great authority, Blackstone, says, referring to legal proceedings, that words are to be understood in their usual and general sense, and that certainly is according to the definitions given thereto in a good dictionary.

As for the evidence on the part of the defense, it was clear and pointed, that the assemblage before the City Hall, at about five or six o'clock in the afternoon on the 3d of August was extremely turbulent, noisy, and tumultuous; one witness stating, and the truth of his statement being undisputed by the prosecuting attorney, that he had never heard anything like it before in Utah, and it was almost doubtful whether he had heard it equalled anywhere else. It is true that the prosecution by way of rebuttal, called a few witnesses who testified that there was no riot before the City Hall; but let the facts speak for themselves. The Chief Magistrate of the City was assailed and part of his clothing torn from his back, and he was only rescued from the violence of the mob by the almost superhuman exertions of those who wished to prevent bloodshed; then the witnesses for the defense, who had not yet voted, and were waiting to vote? Does that appear in the testimony? It does not, and yet the strongest legal presumption is that the class of persons who were nearest the doors of the building were there to vote, and that the attack upon the people was terminated did not occupy over half a minute.

Now then, let us take it for granted, for the sake of argument, that the evidence for the defense was there officially; that he issued his proclamation as I have described; that Captain Burt, as his chief police officer, undertook to execute the order of the Mayor, and that he did so; that he attempted to break the crowd and find out who had voted, and who had not, and that he was dispersed and who should remain? Does it appear from the testimony that the crowd immediately broke up and dispersed? It does not. Does that appear in the testimony? It does not, and yet the strongest legal presumption is that the class of persons who were nearest the doors of the building were there to vote, and that the attack upon the people was terminated did not occupy over half a minute.

JUDGE SUTHERLAND. Will your honor permit an interruption?

JUDGE SUTHERLAND. The proclamation was that they should preserve order, and when they had come to order that they should vote should vote, and the others disperse.

I am reviewing now from the testimony. I say that Captain Burt and those who assisted him in making the attack did not act like officers who were called upon to preserve order, but charged, or has been attempted to be proven by the defense, the riot had continued for an hour or more, in full sight of the Mayor and his police officers, I ask myself this question—Why is it that the ring-leaders of the riot, or anyone of them, were not arrested and put down, that is the way the law provides for the punishment of rioters, but the law does not justify an indiscriminate onslaught upon people, even if they are in a tumultuous condition, and the first agency for putting down a riot should be that strong physical force which is provided for by the law, and I have read it with some care.

Now, to go back to the testimony. In witness to the fact that I have read it with some care, there was noise, some people were shouting, and what people would

CONCLUSION OF ELECTION CASE.

Upon the re-assembling of U. S. Commissioner Toohy's court yesterday morning, the case of Belding vs. Burt, Taylor and Jones, was called several witnesses to the stand, including Governor Woods, Judge Sutherland, and one S. Carley, a somewhat notorious apostate from the ranks of the law, but the testimony of the twenty-one witnesses for the defense, in relation to the riotous condition of the mob round the City Hall on election day, and the justification of certain U. S. officials.

The counsel for the prosecution waived the opening argument; the counsel for the defense then reviewed the facts, as testified to by their witnesses, and also presented their view of the law; they were followed by Mr. Carey for the prosecution, when the Commissioner delivered the following

DECISION.

The defendants, Andrew Burt, Stephen W. Taylor and Nathaniel V. Jones, are charged with an assault upon the Mayor of Salt Lake City, on the 3d of August, 1874. Without going into details, I may say that the proof is that the defendants, Taylor and Jones, actually struck and beaten by the two defendants, Jones and Taylor. As stated by the evidence on both sides, there is no proof that Andrew Burt struck any blow on any part of the body of Mr. Belding.

It is claimed in justification that during the time of this assault there was a riot, and that these persons, Burt, Taylor and Jones, were employed in suppressing it. I have, therefore, to determine whether there was a riot or not on that day. It appears that up to a particular time—between five and six o'clock on the evening of the 3d of August—there was free ingress, through a narrow passage, to the polls, that is, up to the time that the Mayor of Salt Lake City, at the doorway of the polling room, that upon his appearance in that particular place Mr. Wells assumed what was taken to be an attitude of authority, and attempted to prevent at least one person from entering the hall.

Then it is set up that Mr. Wells attempted to obstruct the entrance in front of the Hall, and that thereupon the people rushed or approached, came near to him, and then a scuffle ensued, which may be narrowed down into a difficulty between the Mayor and the people. Or tried to enter the house; Mr. Wells objected to his going in, and stood in the doorway. Mr. Or in the doorway, and his conduct, which became a physical display, which continued for a moment, a great many people taking part therein whose names are not known. The result was that Mr. Wells retired into the house, being drawn in, as I understand, by deputy United States marshal Burt, and the case was then referred to the jury.

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