THE EVENING NEWS. waukee.



NEWS OF THE DAY.

LIEUT. COL. MEYERS, deputy Quartermaster General of the U.S. Army, died at Santa Fe, N. M., DEATHS FROM ACCIDENTS, AND last Tuesday night.

The international boat race, for the championship of America, be- three children. tween Geo. Brown, of Halifax, and At Hamilton, Nev., Thomas Wm. Schorff, of Pittsburg, was won Casey, shot and fatally wounded bis foster brother, Patrick Casey, Brunswick. and then blew his own brains out.

The board of Aldermen, of New, brated trotting horse, "Sam Purdy," York City, have passed a resolution dropped dead , on the Vallejo boat requesting Governor Dix to remove

The Golden Age says the Ameri-can people now know what the continued silence of Beecher means; A mob of masked men. Nulty suicided, by cutting his throat, in San Francisco. Two Chinese means; A mob of masked men. A. A young man named Me-shot and dangerously wounded, supposed by Joseph Loveless of that if they do will somebody be kind at Happy Camp, Del Norte Co., enough to tell? for this guessing Cal. and suspense has become a nui-

W. T. Cummings, of Atlanta, Ga., was struck by lightning and killed yesterday morning.

Thomas Lofts, of Grantsville, Wis, murdered his wife on Tuesday last.

A fire at Grand Rapids, Mich. yesterday, destroyed twenty thousand dollars' worth of property.

It is stated in Paris that Ex-Queen Isabella will revoke her abdication of the Spanish throne.

The French ministry tendered their resignations yesterday, but they were refused.

The Spanish republican army has een re-organized, and now num- drowned during a storm on Lake Oneida; seven drowned during a storm on Lake been re-organized, and now numbers 30,000 men, with seventy-nine guns.

Late dispatches from Calcutta say that eight hundred thousand Five persons drowned by th natives are still employed on the stranding of the schooner Rover. relief works, and that five hundred thousand are yet supported by the charity of the government and the public.

24. Knickerbocker ice house and 30. Two boilers, at Carrolton, tables burned, New York; loss Mich., exploded, killing five per-25. A tannery at St. Louis, burn-ed; loss \$25,000. Box factory at Cincinnati, burned; A block burned at Madison, Ind. loss \$25,000. dence; loss \$30,000.

26. Property burned at Columbus, O.; loss \$15,000. Doboy. 30. News received of thousands

of people, mostly Jews, being burn-ed out of houses and homes, at Berditchey, Volhynia.

sank at Potatoe Cave, six miles north of the harbor of San Francis-VIOLENCE.

JUNE 2. Mrs. Dwyer or Devine, an insane woman, at Brooklyn, N. Y., murdered her husband and 19. The steamer Kars sank in the Sea of Marmora, after colliding with an Egyptian vessel.

Brunswick. MISCELLANEOUS.

3. J. Helm, owner of the celc JUNE 1. One hundred Goshute Indians baptized into the "Mormon Two prisoners namen McIntyre faith, at Deep Creek, U. T., by In-and Walker, taken from the prison dian interpreter Lee, of Grantsville,

at Belmont, Nev., and hanged, by a mob of masked men.

A man killed, in a fight between laborers and citizens at Burnside' Point, Pulaski Co., Tenn. Thomas Morissey, living near Exeter, N. H., while drunk, mur-

dered his wife. 5. A well known . citizen of San Francisco, Cal., named Dalva Mosse, suicided by shooting. Kido, head of the department of

education in Japan, murdered by his countrymen. A boiler explosion at Geddes, Y., Salt Mills, killed two men.

A Mexican robber, named El Gordo, lynched near Los Angeles, At Jeffersonville, Ind., a saloon

keeper named John McDermott, shot at and fatally wounded his wife and killed his infant child; he

whe and killed his infant child; he then blew out his own brains.
Ralph C. Smith, a dealer in real estate, at Detroit, committed suicide by taking prussic acid.
7. Mrs. Vondeberg, of Cincinnati, mortally burned while lighting a fire with coal oil.
Twenty persons decommend to the suicide by taking provide the suicide by taking prussic acid.

An explosion in a coal mine at Wilkesbarre, Pa., burned three miners to death, and caused the death of three others.

Onondaga.

derers, lynched by

at Winnesboro, La.

9. Anna Friesse, a lone weman, rebbed and murdered at Rutland, James O'Malley, an Irish miner,

Two persons committed suicide in San Francisco, making eight in

News received of an explosion of

one persons; eight others injured.

Two Italian laborers killed by

10. George S. Hull sucided with poison, in San Francisco.

in a fight with striking and non-

16. Mrs. Bradley and her two

young daughters murdered near Lawrenceburg, Ind.

A gentleman from Texas, named Frank A. Hart, broke his neck by

being thrown from his horse in the suburbs of Salt Lake City.

plosion of the Great Western Rail-

28. Miss Huber of Newark, N. J.

25. Three persons killed by light

striking labouers. Leopold Hoelderne, in a fit

Nev.

throat.

ealousy, committed suicide,

A policeman killed in New York.

killed by Timothy O'Brien, at Bingham, U. T. A. B. and Tom Morris, two mur-

23. Bix thousand dollars dam- Miss Burneau, of Zanesville, SUPREME COURT DECISION. It is unnecessary to inquire how Do You Want to Save Money age by fire on Prairie St., Mil- Ind., struck by lightning and kill-Wives as Witnesses

IN THE SUPREME COURT OF TEAH EBRITORY. dward Friel, Appeliant, vs. Lyman Wood, Ad-Junesession

Respondent. Boreman, Justice, delivered the

The plaintiff, in the trial below, in the First District Court, in order

in the First District Court, in order to maintain the issue upon his part, offered, as a witness, one Margaret Ann Harbel, and stated at the time, "she is the plural or second wife of the plaintiff, the first wife being now living, and residing with the plaintiff as the wife." Defendant thereupon directed to said party being sworn as witness, and the objection being by the Court sustained, and the person excluded as a witness, the case has been brought to this Court upon that simple point.

1874.

that simple point. The Territorial statute excludes

the wife from testifying for or against her husband except when the action is between themselves. The exclusion applies te the law-ful wife, and not to an illegal one. But is this Court to decide upon the legality or illegality of the marbeing sworn. The statement of the plaintiff's counsel must be taken as true. No-thing can be added to it, or taken

But is this Court to dealed upon the legality of illegality of the manific ounsel must be taken as true. Not the plantify rigge between the plaintiff and her who is offered as a witness? By no means. The party offering her as the statement of the plaintiff as the "offered as a witness? By no means. The party offering her as the statement of the being now living and the defendant assents that she is his wife, "The first wife being now living and the defendant assents that she is his wife, "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living and the defendant assents thereto- "The first wife being now living of Claims." And the defendant wife" of "second wife," and that the first wife is still living with the plaintiff. The word "plant" means, "constant of the court is going to declet up the state notice of the court is prosented. It is all living with the plaintiff." The she active of the court is form to have the plaintiff. The word "plant" means, "constant the first is all living with the plaint of the second one void, especially of wo or more?" "any number exclusion that the first marringe is yalld and that the first marringe is yalld and the second one void, especially of the statement the she was not in the plaintiff's counsel the and there is called a "plural wife" is never the first and is wife. The statement the she was the plaintiff's will be dono

Harbel, sustained polygamous re-lations to the plaintiff, and thereof Weston, Cache Co., U. T. Henry Bochefort lectured to a slim audience of Communists, in the Academy of Music, New York City. fore was not in law his wife. His theory was, that therefore she was a competent witness. No time will be spent in proving that a polygamous marriage is absolutely A council of war found M. M. and the other still living with Bloncourt, a deputy to the National plaintiff as his wife. The presumpvoid.

Assembly, from Guadaloupe, guilty of participating in the doings of the Commune, and condemned him to marriage during the continuance Commune, and condemned him to death in contumaciam. 6. Henry Rochefort and his com-panions sailed for Europe from New York. A tornado demolished twenty-

A tornado demolished twenty-one dwellings, and two elevators, and damaged more or less every building in the parties gone to live together again. The Court must recognize the fact that very little respect is would be competent to give evi-



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MENT OF

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10. News received of a steamboat being shattered to pieces by an ex-plosion, on the Volga, Russia. 14. The steamer Prinse Alfred

end a message to the Assembly informing that body of his determination to retain the power conferred upon him, for the time assigned by law.

Two murderers were hanged at Harrisburg this morning.

board a steamboat, on the Volga, Russia, causing the death of thirty-In demolishing the Nathan mansion yesterday, a shirt spotted with blood, and bearing the initials of striking laborers in New York City. the murdered banker, was found.

A scow was run down at the mouth of Buffalo river, last night, and three persons therein-a man, his wife and son-were drowned.

hooting, at Jefferson City, Mo. A boiler explosion at Pittsburg, • 11. News received of a murder this morning, fatally scalded the and suicide on board the ship Manius, while on the voyage from

The Italian masons have expel-ied the Pope from the order; the order of expulsion was signed by the Grand Master, Victor Emanuel, Ving of Italy King of Italy.

See telegraphic columns for late news from the Saudwich Islands; the lawmakers of the Islands are addicted to drunkenness.

The Sydney Herald tells of the wrecking of the iron ship British Admiral, and the loss of seventynine persons, on the west side of John Donahue, of San Francisco, committed suicide by cutting his King's Island. The British Ad-

miral is the eighteenth ship wrecked in that locality since 1840.

ORIMES, CASUALTIES, '&c.

RESUME, of accounts received by telegraph, of fires, deaths by accident and violence, disasters at sea &c., for the month of June:

FIRES

19. Engineer and fireman killed in an accident on the Pennsylvania Central Railroad. JUNE 1. The shoe factory of M D. Wells & Co., Chicago, burner \$386,000. A fire in Lewis St., N. Y., dir Three hundred and twenty per sons on the steamer Kars, drowned in the Bas of Marmora. 21. Two persons killed by the ex-

\$107.000 da 4. A fire at Susquehanna, N. Y., did damage estimated at from \$50,-

000 to \$75,000.

5. An incendiary fire destroyed Haisey's flour mill, at Ithaca, N.

6. A fire in Geneva, Switzerland, destroyed twelve houses and other property. 8. Thirty thousand dollars dam

by fire, at Crawfordsville, hanged. hanged. 23. Berg Amos, a gambler, fatally stabbed, in Baltimore. Two young men suffocated in a fire on Prairie St., Milwaukee. Thirteen persons, killed at Syra-ouse, N. Y., duridg a strawberry festival, by the giving way of the floor of a room in the Central Bap-tist Church.

A fire at the corner of Warren i Washington Sts., New York y. did \$40,000 damage. fire at Columbus, O., did \$30,-

10. Extensive cotton mills burnd at Manchester, England; loss £250,000.

11. Frank & Sens' glass works and other property burned at Frankstown Station, Pa.; loss \$60,-

fatally shot by her brother. 24. Ex-police officer Stone, of San Francisco, shot himself through 000. 12. Ontario, Canada, car works, including the wood and blackthe heart. smith shops, engine house, car materials, tools and machinery, ning during storms in Indiana and Michigan.

urned; loss \$90,000. Stable near Warm Springs, be Five persons killed by the blow-ing down of a stone grist mill, near

disguised men. Dr. S. E. Crain, arrested-and

and damaged more or less every building in the village of Tampico, Whiteside County, Ills. 7. Judge McKean overruled the application of C. C. Clements, for a mandamus to compel the officers of mandamus to compel the officers of the building of the buildi held in custody for causing the death of Mrs. Wauldron by abor-tion, in this city, committed suicide in the city jail.

Lake City. Bill passed by U. S. House of Representatives to admit the Terri-tory of Colorado into the Union as a State. Span of a bridge crossing the Lake City. C Bill passed by U. S. House

9. News received of the murder

of ten thousand christians at Tong heart, at St. Charles, Mo. 13. Jack Brannan, a San Francisco rough, killed at Virginia City,

near Syracuse, N. Y. Cochise, the noted Apache Chief, died.

Miss Julia Greenfield, of Cincin-nati, fatally burned. 14. John Johnson, a journeyman 10. News received of famine riots in India, several rioters killed and wounded.

Two severe shocks of earthquake at Mission San Jose, Cal. Protective alliance formed be tween the governments of Ger-many, Servis, and Roumania. Ex-Judge Solomon McCurdy, of

Ex-Judge Solomon McCurdy, of Salt Lake City, brataliy inlused by a drunken soldier, named Hackett, from Camp Douglas. Statue erected to John Bunyan, at Bedford, England. 11 A posse of military from Camp Douglas, broke open the City jail, and liberated Hackett, in custody availing an examination for an

17. Three negroes killed in a rail-way accident, near Lilesville, N. C. 18. Two persons killed by a boller explosion, in a wheelbarrow factory, at Coldwater, Mich.

awaiting an examination for as-saulting Judge McCurdy.

Two severe shocks of earthquake at San Francisco. Gambetta struck on the face with

a stick, by the Count St. Croix. A petition signed by eighty-six thousand laborers, presented in the British House of Commons, asking for the assimilation of the county

to six months imprisonment and

way steam dredge, at Baptiste Creek, Canada. Two men killed in a collision be-tween freight trains on the N. Y. Central Railroad. to six months imprisonment and to pay 200 francs and the cost of the trial, for assaulting Gambetta. 15. News received of the opening, on May 9th, of the line of railway between Kobe and Osaka, Japan. News received of an insurrection At Carrollton, Ills., Frank, alice Clark Evans, a convicted murder-

application to compel the officers of mandamus to compel the officers of this city to surrender their account books to him for the purpose of tak-ing copies thereof. 8. Bill passed the U. S. House of Representatives to incorporate First Presbyterian Church of Salt Lake City. C

a State. Span of a bridge crossing the Hudson river, at Troy, struck by lightning and destroyed; in falling into the river it sank four canal boats loaded with iron ore. The most terrific thunder storm ever known at Utics, N. Y. Five members of the Volunteer Fire Department, at Williamsport, Pa., arrested on suspicion of incen-diarism, confessed to burning over a million dollars worth of property. A hurricane passed over Kemp-ville, and unroofed and demolished several houses, destroyed much pro-perty and injured several persons. acted upon the former ad-mission, and after the Court below acted upon the former ad-mission, and after the Court below acted upon the former ad-mission, and after the Court below asks to take a new ground dif-ferent from that occupied below--and disclaim the woman as wife and declare her to be his mistress only. Such a "fast and loose" practice, such jugglery, should hot be allowed. It would be unjust to take one position in that Court and then another in this Court and then succeed in changing the jugg-ment. He must stand or fall by his own words at the time of perty and injured several persons. marriage being void." (Black-to take one position in that Court and the source of a superior is own words at the time of such as are innocent in the source of the taw. If the cohabitation is clearity of an immoral character, as for example in the case of a kept or olygamy, the first marriage being proved and not controverted, the woman, with whom the second marriage was had, is a competent witness; for the second marriage is witness; for the second marriage is his own words at the time of offering the witness. If the party claims the woman as wife below, he must reap the consequences. It not wife shall not be compelled to his own words at the time of King. Thirty persons injured by a rail-road accident at Lebanon Hollow, know that he claimed her as his only to lawful marriages, or at least only to lawful marriages, or at least wife, and as to whether she really to such as are innocent in the eye to such as are innocent in the eye of the law. A kept mistress is certainly not privileged, and she is a competent witness against the man by whom she is kept." (3 Bouvier's Institutes, p. 434.) The Utah statute is substantially an enwas his wife or not, is not the issue, the defendant raising no question

49.)

The judgment of the Court below

I concur in the above. P. H. EMERSON. Associate Justice.

TERRITORY OF UTAH, SUPREME COURT.

Edward Friel, Appellant, es. Lyman S. Wood, Adminis-trator, etc., of Lambson, deceased, respondent.

McKean, Ch. J., delivered the following dissenting opinion: The plaintiff sucd the defendant, in the First District Court, on a

promissory note made by Lambson during his life time. The defend-ant pleaded payment by Lambson before his decease. On the trial, be-

before his decease. On the trial, be-fore the court without a jury, there was evidence tending to show such e payment. The plaintiff then call-ed as a witness one Margaret Ann y Harbel, for the purpose of proving that there had been no such pay-

and borough franchise. 13. The Count St. Croix sentenced ment, and further to establish ad-

missions and statements to the

in Khokan, Central Asia. 18. Forty deaths from cholera, reported from Dinburgah, East In-The defendant's counsel objected

Wm. Blackhurst, an employe of the DESERET News office, died suddenly after bathing, at Hill's pleasure grounds, near Salt Lake City. A sharp shock of earthquake fett last night, shortly after midnight, in this city. 19. Gen. McCook confirmed by

in this city. 19. Gen. McCook confirmed by the U.S. Senate as Governor of Colorado. Mrs. Audubon, wife of the great naturalist, died at Shelbyville, Ky., aged 88. Jules Janin, the French author, died in Paris, aged 70. Bellew, the celebrated elocu-tionist died in London. "A husband shall not be a wit-ness for, or against, her husband; nor can either, during the marriage d or afterwards, be, without consent of the other, examined as to any communication made by one to the other during marriage. But this exception shall not apply to an action or proceeding by one against the other " (Utab Practice Act,

Drop Letters, : ngle rate,.... wSPAPERS:-The standard source of the standard These rates must be prepaid quarterly or early at the office where the newspaper is Single newspapers, 1 cent. prepaid. PERIODICALS:-The standard single rate is 4 cz. avoirdupels.

Semi-monthly,.....

mples of merchandise not over 12 oz., 20. for each 2 oz.. Miscellaneous printed matter, 2c. for each 4 oz. or fraction thereof. The maximum weight of any package of printed or miscellaneous matter is 4 /bs. avoirdupois.

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NTERNATIONAL MONEY ONDERS on Great Britain, Germany and Switzerland, te be transmitted by the Postmaster at New York, may be obtained upon the payment of the following fees, viz:

actment of the rule of the common law: "On the ground of an indissoluble union "On the ground of an indissoluble union of interests, and in order to prevent con-nubial harmony and confidence from ever being disturbed, it is a general rule of law, that neither the busband or wife can, in any case, civil or criminal, be a witness for or against the other; an exclusion which belongs to no other of the domestic rela-tions. This rule sometimes produces hardship, but on the whole is supposed to be salutary. (Walker's American Law, 249.) GREAT BRITAIN:

On orders not exceeding \$10,.... 25 or Over \$10 and not exceeding \$30, 56 a Over \$20 and not exceeding \$30, 75 a Over \$30 and not exceeding \$30, 81.00 a Over \$40 and not exceeding \$50, 1.25 a

Rates of Foreign Posta The standard single rate to Great Bri-tain is half an ounce avoirdupois; to France and the Continent (by French mails) it is if frammes, or one-quarter come a peis. The asterisk (*) indicates the payment is optional.

Now, it is not perceived how a polyga-mous woman, or plural wife, can be reject-ed as a witness for or against her so-called husband, save on the assumption that she Letters not News-exceeding papers s, in law, his wife. Let us see to what 16 c's.

atral America (Pacific li cta China, American Packet, via San Francisco

truth. Nor are these the only wrighty consid-entions. If a plural ulic, when called as a witness for or against her polygamous husband, is to be rejected, it must be done upon the assumption that she is a wife within the manning of the Utah assute, if, therefore, that statute required such a construction, one of two consequences must follow: Either, lat, that the statute is in that particular roid; or, 2d, that po-lygamy is lawful in Utah. If the latter, then the set of Congress making polyga-my a penal offense, has fallen to the ground. Denmark, closed mail vis England, statish Mail vis San Francisco, Mail vis But the Utah statute is not void, neither

does it legalize polygamy. It must be construed to exclude only lawful husbands and wives from being witnesses for or against each other, save in the cases ex-pressly excepted by the statute. 'In the case at bar, the plaintiff's first wife being allve, and residing with him as his wife, he called as a witness his plural

Elegant lines of plain and Fancy Dress Materials and Dress Trimmings. A full stock of the most popular styles of Spring and Summer Sharols ever offered Materials. in the West. Silks and Ribbons in all nd carry the HRAVIEST STACKS the most fashionable shades from foreign and domestic ΡΑΡ looms. No effort has been spared in our preparations for the of any office in the Western Territories trade of this season, and our patrons in town and country can feel assured that unsurpassed facilities have enabled us to anticipate every want. STEAM POWER We are also determined to give our customers the advantage in price derived from our ability to Gives to an advantage D handle these goods in large quantities, and to purchase them whereve and whenever they can be bought PEEDATA MONDETENES. EXECUTION and most favorably; all lines of mer-PRICE of WORK chandise for this department having been carefully selected by our Stronghi Iron Pipe. resident buyer in New York. 원덕 배당역 Patrons ordering merchandis LETTER HEADS, through messengers or the mails wathing and dust mitting can rely on having their orders a DRAFTS, faithfully executed and upon the CHECKS. same terms as though they were personally present. CERTIFICATES. ORDERS, RECEIPTS, DEEDS. BALL TICKETS, CIRCULARS, BUBINESS AND LI CHARTER STREET MERCANTELE, distant.

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is, in law, his wife. Let us see to what consequences such a doctrine might lead. While, to permit a plural wife to testify for her polygamous husband, might fre-quently give him an advantage in litiga-tion, yet it is believed that the opposite doc-trine would result in much greater public inconvenience and injury. It is conceiva-ble, nay, experience and observation show, that in many actions, whether civil or criminal, plural wives are the only wit-nesses by whom a case can be made out against polygamous defendants. Were the rule to be established that such witnesses are to be rejected, it is believed that it would soon be found to work great injus-tice, especially in this Territory, where so many men and women sustain polyga-mous relations to each other. Indeed, it would often entirely har the avenue to truth.

