the advantages possible in the schemes that have been attempted to subjugate the large majority of the citizens of Utah.

They were forbidden by the Edmunds law to "exclude any person otherwise eligible to vote from the polls on account of any opinion such person may entertain on the subject of bigamy or polygamy." Thus the majority of the "Mormon" citizens of the Territory were not deprived of the franchise. But all persons who, by the widest and longest stretch of the eighth section of the Edmunds law, and even by going some distance beyond it, could be excluded from the registry lists and so prevented from voting, have been practically deprived of the right to the elective franchise which they have exercised for many years, and that without any judicial proceeding or proof of guilt, but simply for declining to take a test oath for which there was not the slightest warrant in law.

But this is not all. Our territorial statutes provide for the election of certain territorial officers by the people. The Commissioners have assumed the prerogatives of the courts and have pronounced those laws invalid. And in addition to that they have formulated a rule that any ballots voted at the coming general election "containing the names of candidates for other offices than those designated to be filled by the Commission, will be rejected and not counted for any purpose."

Here are two thing named which the Commission have no authority to do. First, they have no warrant in law for designating what offices are to be filled. The ninth section of the Edmunds law covers the whole ground of the creation of their office and the definition of their powers. It gives them no right to designate the offices to be filled at any election. They are to appoint proper persons to take the places of the registration and election officers of every description in the Territory of Utah. But they are not endowed with the functions of any of these officers save and except in the case of canvassing the votes for and of giving certificates to the members elect of the Legislative Assembly. They have no right to announce an election, to give notice of the offices to be filled, to count the votes or do anything pertaining to the elections in person—with the exceptions we have named. The County Clerks, under the Territorial law, should give notice of the election and of the offices to be filled as provided by law. Under the Edmunds Act the Commissioners appoint the officer to give this notice, in the place of the County Clerk. But when appointed he can do no more than the County Clerk could have done. For the Edmunds law provides that the officers appointed by the Commissioners shall perform the duties of these offices "under the existing laws of the United States and said Territory." Thus the election officer acting instead of the County Clerk can only do what the Clerk would have done under the circumstances, simply announce such offices to be filled as are designated by law. The Commissioners have no more right to "designate what offices are to be filled" than five attorneys, or five editors, or five merchants have. They cannot find it in the law. They have simply usurped it.

The other thing for which they have no warrant in law is the rejection of any ballot which contains the names of candidates for other offices than they have designated. The law provides that there shall not be upon the envelope containing the ballot, "any marks, writing, printing or device" But the voter may place what marks or writing he pleases upon the ballot. He may add the name of General Jackson for President of the United States, if he chooses, like the old "Dimicrat" of Missouri; that would not invalidate the vote for such officers named on the ticket as the law provides for. Supposing, for argument's sake that no territorial offices can be filled by popular election, and that it is the province of the Commissioners to decide on that point, and also to designate what officers the people, by the gracious permission of those dignitaries, may proceed to vote for. Would the presence on the ticket of names for offices not to be filled, invalidate the vote for those persons named upon it for officers that are to be filled? If so, show us the law of the United States or of the Territory of Utah that so provides. Is there any law upon it, whatever? At the last Delegate election the Commissioners took the correct view. They ruled that while they would not count any votes for Delegate for the unexpired term, yet, the presence of a candidate's name for that term on the ticket would not invalidate the rest of the ticket.

There is neither law nor reason why it should do so, unless the Commissioners' rulings are laws, duly enacted and binding upon the citizens, as some of those gentlemen seem to think. They fulminate decrees which are in the nature of new legislation, and pronounce opinions which are judicial in their character and present effect, and yet their powers, clearly and expressly defined and limited in one section of congressional law, do not even hint at any such remarkable authority.

The Commission, not the law, says only county and precinct offices are to be filled at the general election; the Commission, not the law, says, as a qualification to register you must take an oath concerning your marital affairs; the Commission, not the law, says you shall not vote for any officer but such as the Commission choose to designate; the Commission, not the law, says all votes for any but such officers shall not be counted.

After such tremendous stretches of authority and assumption of power, ought not the anti-"Mormon" element to be satisfied with the work of the Commission? But it is not, and the gentlemen who have thus exerted themselves to the utmost to satisfy the "Mormon"-eaters have signally failed, and we believe have more consistent friends among the people whom they have temporarily injured, than among the virulent and scheming class which has looked to them to be helps and aids in the accomplishment of anti-"Mormon" designs. For, with all the strictures which we have felt it our duty to make, we look upon the Commissioners as officers of whom a great deal more was expected than the law authorized them to undertake, and who have tried to meet that expectation as closely as possible, without falling into the vindictive spirit and ultra-outrageous methods of the dissatisfied and baffled conspirators against the peace and welfare of the people of Utah.

GERMAN COLONIES IN THE HOLY LAND.

In the year 1872, a number of immigrants from Wurtemburg formed a colony in Jaffa. In the immediate vicinity of that seaport of Palestine, they commenced farming and established manufactories for the making of agricultural implements and carriages. They succeeded admirably, and another colony was started at Caipha, between the old and ruined city of Cæsarea and Cape Carmel. This colony numbers over four hundred persons, and has a local municipal government under the supervision of the German Consul. In the vicinity of Jerusalem there is now a third German colony, chiefly engaged in commercial pursuits. The land in cultivation has produced large crops under Teutonic manipulation, yielding four times as much as under native labor. These colonies are specially favored by the Sultan, who has granted to Germany the old monastery of the Templars near the Holy Sepulchre and the ruins of Cæsarea, together with the adjoining districts. At Cæsarea there is a harbor, lying between the German colonies of Jaffa and Caipha, so that the whole of the Syrian coast from Cape Carmel to Jaffa, will in all probability soon be in German hands.

A REMEDY PROVIDED BY LAW.

The Revised Statutes of the United States, in Section 1976, contain the annexed very important provision:

"Every person who under color of any statute, ordinance, regulation, custom or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proceeding or redress."

We commend this to the attention of those citizens of the United States in the Territory of Utah who have been deprived of the elective franchise contrary to the provisions of the Constitution of our country. The case of Mayor Jennings illustrates one class for which the foregoing offers a remedy. Mr. Jennings married a plural wife previous to the passage of the anti-bigamy law of 1862, but ceased the practice of plurality of wives previous to the passage of the law of 1882. Thus in that he violated no law of the United States or of Utah Territory. For the Act of 1862 made the ceremony or contract of marriage the offense and not the cohabitation; and before an Act of Congress was passed making cohabitation with more than one woman a crime, he like many others had become practically a monogamist. He was therefore at the time of the fabrication of the Commissioners' test oath, neither a bigamist, a polygamist or person cohabiting with more than one woman "in the marriage relation." But he has been, nevertheless, deprived without process of law and by regulations that are *ex post facto* in their operation, of a right, privilege and immunity, that is of the highest value to a citizen. He is therefore, clearly entitled under the section we have quoted from the Revised Statutes of the United States, to remedy in a suit at law, equity or other proceedings. There are several classes of citizens who have been unlawfully deprived of the privilege of voting, which had become a legal and vested right by law, custom, regulation and usage in this Territory and under its laws, who are equally entitled to legal redress. Our rights should be fully understood and then firmly maintained, and fought for when necessary. The Courts are the field wherein such contests should take place, and therein must the battle be fought for our freedom.

BELLE HARRIS.

We take following paragraph from the Chicago *Times:*

"Belle Harris, a polygamous wife at Salt Lake, has been thrown into prison for refusing to tell the grand jury who is the father of her child. The work of exterminating polygamy goes bravely on. None of the self-confessed polygamists have been arrested, it is true, but one of the victims is safe under lock and key, and the arrest of some polygamous young one, uncertain as to who its mother is, may hourly be expected. Blessed is Saint Jerome Edmunds!"

The *Times* ought to know the facts in the Carrington case. While Belle Harris is being half roasted in the pen for not telling an attorney whether she was a married woman or not, J. B. Carrington, who had been clearly proven guilty of bigamy, having admitted the marriages of which he was accused, was turned loose to deceive other women in the same way. He pretended he had been divorced. But the judge of the court where the divorce was claimed to have been granted swore he made no decree, the clerk swore no such decree had been given, and the records were produced as evidence that none had been entered. His was a clear case of bigamy under both the Act of '62 and the Edmunds law. But he was a Gentile and was set at liberty.

We have made some remarks more than once on the assumption of the functions of the Grand Jury by deputy prosecuting attorney Zera Snow. A letter just received from one of the Grand Jury before which Belle Harris was taken, corroborates our statements. He says the attorney did not inform the Grand Jury in regard to the case before it, but just went ahead on his own responsibility and asked the question for refusing to answer which the lady was committed. The feelings and views of the Grand Jury were not consulted, and as its members were not lawyers, they just submitted to the actions of the attorney, without question or objection, not knowing their powers nor the limit of the attorney's authority. He will know better another time. And we hope every citizen called and sworn to serve on a Grand Jury will learn something of his own rights and not allow them to be usurped by any attorney, no matter how much authority he may claim.

The following letter, which came to hand to-day, speaks for itself:

FRANCEVILLE, Colorado,
July 2nd, 1883.

Editor Deseret News:

Sir—Enclosed find ten dollars for the benefit of that noble woman, Belle Harris.

We also forward ten cents to be given to Zera Snow on condition that he will promise on oath to spend the amount on "Rough on Rats," and take the same within one hour after he receives the money.

Yours truly,
HOPKIN & CROFT.

The stamps are on hand for the gentlemen for whom they are intended, whenever they are wanted and the guaranty is given to abide by the conditions.

Query: If Belle Harris was sent to the penitentiary for the purpose of upholding the dignity of the Court, has not the dignity been held up by one weak woman with a baby in her arms about long enough in this hot weather?

$200.00 REWARD.

Will be paid for the detection and conviction of any person selling or dealing in any bogus, counterfeit or imitation HOP BITTERS, especially Bitters or preparations with the word HOP or HOPS in their name or connected therewith, that is intended to mislead and cheat the public, or for any preparation put in any form, pretending to be the same as HOP BITTERS. The genuine have cluster of GREEN HOPS (notice this) printed on the white label, and are the purest and best medicine on earth, especially for Kidney, Liver and Nervous Diseases. Beware of all others, and of all pretended formulas or recipes of HOP BITTERS published in papers or for sale, as they are frauds and swindles. Whoever deals in any but the genuine will be prosecuted. HOP BITTERS MFG. CO. Rochester N. Y.

NOTICE

In the Probate Court in and for Salt Lake County, Utah Territory.

MARY MULLETT, Plaintiff, vs. DAVID MULLETT, Defendant. } SUMMONS.

The People of the United States in the Territory of Utah, send Greeting, to David Mullett, Defendant:

YOU ARE HEREBY REQUIRED TO APpear in an action brought against you by the above named plaintiff in the Probate Court, of the County of Salt Lake, Territory of Utah, and to answer the complaint filed therein within ten days, (exclusive of the day of service) after the service on you of summons—if served within this County; or, if served out of this County, but in this district, within twenty days; otherwise within forty days, or judgment by default will be taken against you, according to the prayer of said complaint.

The said action is brought to obtain a decree from this court dissolving the marriage contract existing between said plaintiff and you, and awarding to Plaintiff the custody of Leonard Mullett and Louisa Ann Mullett, minors, the issue of said marriage and for such other order and decree as to the Court seemeth proper and for costs of suit. Plaintiff alleges as grounds for this application that defendant has cruelly treated the plaintiff, to the extent of causing great bodily injury, and also to the extent of causing great mental distress to plaintiff, and that defendant for more than two years last past has willfully neglected to provide for the plaintiff the common necessaries of life. And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to this court for the relief prayed for and cost of suit.

Witness, the Hon. E. Smith, Judge, and the Seal of the Probate Court of Salt Lake County, Territory of Utah, this 22nd day of June, in the year of our Lord One Thousand Eight Hundred and Eighty-three.

[SEAL.] D. BOCKHOLT, Clerk.

CHAS. F. BLANDIN,
33 East Temple St., Attorney for Plaintiff.
w 23 4w

RE-ORGANIZATION

OF THE FIRM OF

Fish Brothers & Co.

TO THE PEOPLE OF UTAH:

The Co-partnership between T. G. FISH, E. B. FISH *and* J. C. HUGGINS, *under the firm name of Fish Bros. & Co., expired by limitation on January 1st, 1883. At that date,* J. C. HUGGINS *retired from the firm* D. J. MOREY *and* S. S. LYON *purchasing his interest. In the re-organization of the new firm of Fish Bros. & Co. which then took place, our Utah trade was thoroughly discussed, and we determined to give the Utah trade that attention in future which it deserves, and which was, to some extent, neglected in 1882.*

S. S. LYON, *one of the new members of the firm, who had been in the employ of the old firm many years, spent several weeks with Mr. Lowell at Salt Lake last fall, and gave his special attention to ascertaining all defects and all needed improvements in the* Fish Wagon, *to keep it in the future, as in past years, the* STANDARD WAGON *of Utah and adjoining Territories.*

Call on The John W. Lowell Wagon Company and examine this year's make of the Fish Wagon, for we assure you it will be found a BETTER WAGON THAN WE EVER SENT TO UTAH BEFORE. *We are selecting all the timber, and taking special pains in manufacturing all Wagons for Utah trade.*

Yours Respectfully,

FISH BROS. & CO.

Racine, Wis., April 18th, 1883.

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