

## EVENING NEWS.

PUBLISHED DAILY, SUNDAYS EXCEPTED  
AT FOUR O'CLOCK.DAVID O. CALDER,  
EDITOR AND PUBLISHER.

Tuesday, October 12, 1875.

## NEWS OF THE DAY.

Six inches of snow fell last night at Collingwood, Canada.

A wind storm, blowing down the Agricultural Hall, in process of construction, in the Centennial grounds at Philadelphia, eight laborers were injured, one fatally.

Everything is reported quiet in the State of Mississippi.

A duel was fought last Sunday evening, between two Americans, near Paris.

It is said that a small Russian force is now in Afghan territory; once in Afghanistan, the distance to British India is great, and then comes the final solution of the "Eastern Question."

Holland has sent five men-of-war to the Caribbean Sea, to be ready in case of any hostile movement on the part of Venezuela.

The Liberians have been victorious in several recent engagements with the aborigines.

Mr. Janney, government geologist, surveying the Black Hills, reports that he has made another discovery of gold in the Hills.

President Grant and party left Kansas City for Chicago yesterday.

Mr. A. H. Stevens is seriously ill; his condition is said to be critical.

In a shooting scare, on the 10th inst., in Pinaro, U. T., between two men named Alliphan and Burgess, the latter was shot through the heart, and the former, it is supposed, received fatal injuries.

There was a big fire yesterday, at Santander, Spain.

The hoisting works of the Utah mine, Virginia city, Nev., were burned on Sunday night; loss a quarter of a million.

## AT HOME AGAIN.

The Conference is over, and most of the country Saints have returned to their respective homes, or are on their way there. The weather still remains exceedingly fine, and it may be that we shall have a very favorable Fall, for a long fine Fall would be favorable for the accomplishment of a large amount of work that it is desirable should be done before Winter, and in preparation for it. There is the remaining work in gathering in and securing the various crops, also getting in stocks of fuel for the coming cold season. The present is the best time in the year for building, and those who have need to build, and can afford to do it, would be doing a very good thing if they were to therein furnish labor for the aid of those who wish to labor to supply themselves and those depending upon them with the means of comfortable sustenance during the Winter, which will surely come, though it may be delayed a little. There has not been a superabundance of labor this season, and many workers are not in a good state of preparedness for the rigors of the severest season of the year. Morally speaking, those who are reasonably able to furnish labor are in duty bound to do so, in order that there may be less temptation to feed and clothe and warm their families. Besides, the turning of labor and pay therefor and distributing it among the community will tend to stimulate business of all kinds and make everybody feel better. Circulation is better than stagnation all the time, and the free circulation of means through the community, in return for labor performed, is the best preventive of either an apoplectic or an atrophic condition of the financial system of the community, and is also an excellent means of producing a healthful activity in all the departments of useful business. The welfare and prosperity of the community is one of the chief aims of every good citizen, and to labor and furnish labor and pay for the same, is a duty incumbent on all in proportion to their abilities and opportunities.

## WORK FOR WOMEN.

SILK culture has been frequently urged upon the members of this community, as a useful production that is practical and would prove very beneficial in bringing means into many families where it is needed, whether the industry took the form of exporting the eggs, or of producing the silk for either home manufacture or export, preferably of course for home manufacture to a greater or less extent.

The silk industry is prosecuted in Nebraska, and it is reported that \$5,000 worth of silk-worm eggs, produced in that State, have been exported to Europe for the past season.

In Australia, too, this culture is receiving considerable attention, as being peculiarly adapted to the gentler sex, as will be seen by the following from Miss Emily Faithfull's *Woman and Work*:

Mrs. Bladen-Neill, who is now in England, has been circulating in which she says: "The Victorian Ladies' Sericultural Company was established in Melbourne in 1873, to promote the cultivation of the silk in the Australian colonies, with the view of thus providing a suitable and profitable means of employment for educated women of small means, and for young girls, who, though willing to work, are too often unable to find any appropriate means of doing so. The establishment of an industry of this kind in Australia, a prospect is offered to many women and girls in the United Kingdom, who may have been induced to emigrate, with a reasonable and confident prospect of suitable employment to look forward to. As the movement aims to increase and cheapen the supply of raw material required in the silk trade, it is hoped that manufacturers and merchants will render assistance. One of the objects in view is to assist the establishment of the silk-growing industry in Australia, by sending out to the ladies and girls now at work there some of the latest and most approved apparatus used in Italian and French magnaneries and reeling establishments. Since 1873, the company formed at Victoria

has met with considerable success in that colony, and is now established on a promising footing. A large grant of land has been obtained from government, and sericultural operations have been carried on by a number of ladies and girls, for three seasons. Samples of the silks and cocoons thus produced have been brought to England by Mrs. Neill, who represents the company. The Ladies' Sericultural Company hope to effect, in Melbourne, a sale of silk goods made in England from raw material produced in Australia. A quantity of Australian 'grains' (silk-worm eggs) has been imported into Italy, and has been successfully cultivated on a mulberry plantation near Verona. The produce of these operations is a satisfactory price on the Continent."

## WOMAN SUFFRAGE.

*Opinion of the Supreme Court of the United States on the Right of Women under the New Amendment to the Constitution to Vote—The Right of Suffrage Never Conferred by the Constitution on Any One.*

WASHINGTON, Oct. 4, 1875.

In the case of Virginia L. Minor and Francis Minor, her husband, plaintiffs, vs. Reese Happersett, in error, to the Supreme Court of the State of Missouri, Chief Justice Waite delivered the opinion of the Court. After proceeding to demonstrate that from the foundation of the government of the United States women have been considered as citizens, the learned justice said:

The Fourteenth Amendment did not affect the citizenship of women any more than it did of men. In this particular, therefore, the right of Mrs. Minor did not depend upon the amendment. She has always been a citizen from her birth, and entitled to all the privileges and immunities of citizenship. The amendment prohibited the States, of which she is a citizen, from abridging any of her privileges and immunities as a citizen of the United States, but it did not confer citizenship on her. That she had before its adoption. If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the constitution and laws of Missouri, confining it to men, are in violation of the constitution of the United States, as amended, and consequently void. The direct question is, therefore, presented whether all citizens are necessarily voters.

The constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case we need not determine what they are, but only whether suffrage is one of them. It certainly is nowhere made so in express terms. The United States has no voters, and the States have no voters, in their own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State Legislature. (Art. 1, sec. 2, Constitution.) Senators are to be chosen by the Legislatures of the States, and necessarily the members of the Legislature required to make the choice are elected by the voters of the State. (Art. 1, sec. 3, Constitution.) State must appoint, in such manner as the Legislature thereof may direct, the electors to elect the President and Vice President. (Art. 2, sec. 2.) The time, places and manner of holding elections for Senators and Representatives are to be prescribed by the Legislature thereof; but Congress may, at any time by law, make or alter such regulations, except as to the place of choosing Senators. (Art. 1, sec. 4.) It is not necessary to enquire whether this power of supervision thus given to Congress is sufficient to authorize any interference with the State laws prescribing the qualifications of voters, for no such interference has ever been attempted. The power of the State in this particular is certainly supreme until Congress acts. The amendment did not add to the privileges and immunities of a citizen. If simply furnished an additional guarantee for the protection of such as he already had. No new voters were necessarily made by it. Indirectly it may have had that effect, because it may have increased the number of citizens entitled to suffrage under the constitution and laws of the States; but it thought the States and the State laws, and not directly upon the citizen. It is clear, therefore, we think the Constitution has not added the right of suffrage to the privileges and immunities of citizenship as they existed at the time it was adopted. It makes it proper to inquire whether suffrage was co-extensive with the citizenship of the States at the time of its adoption. If it was, then it may with force be argued that suffrage was one of the rights which belong to citizenship, and in the enjoyment of which every citizen must be protected. But if it was not, the contrary may with propriety be assumed.

When the constitution of the United States was adopted, the several States, with the exception of Rhode Island, had constitutions of their own. Rhode Island continued under its charter from the Crown. Upon examination of those constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have the power.

After citing instances of such action on the part of the different States, the opinion proceeds thus:

In this condition of the law in respect to the several States, it cannot for a moment be doubted, that if it had been intended to make all citizens of the United States voters the framers of the constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed, if intended to be made, would have been expressly declared. But if further proof is necessary to show that no such change was intended, it can easily be found both in the text of the constitution. By article 4, section 2, it is provided that "the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States." If suffrage is necessarily a part of citizenship, then the citizens of each State must be entitled to vote in the several States. This is more than asserting that they may change their residence and become citizens of the State, and thus be voters. It goes to the extent of saying that the several States, in the exercise of their original citizenship they may vote in any State. This, we think, has never been claimed. And again, the amendment, which is the subject of this case, is considering the Fourteenth Amendment, "Representatives shall be apportioned among the several States according to the number of free persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors in any State, or for the choice of President and Vice President of the United States, representatives in Congress, the executive and judicial officers of

a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, in any way abridged, except for participation in the rebellion or other crime, the basis of representation therein shall be increased so that the whole number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State." Why this, if it was not in the power of the Legislature to deny the right of suffrage to some male inhabitants, if suffrage was necessarily one of the absolute rights of citizenship, why confine the operation of limitation to male inhabitants? Women and children are, as we have seen, "persons." They are counted in the enumeration upon which the apportionment is to be made, but if they were necessarily voters because of their citizenship, unless clearly excluded, why inflict the penalty for the exclusion of males alone? Clearly no such exclusion would have been selected to express the idea here indicated if suffrage was the absolute right of all citizens.

And still, again, after the adoption of the Fourteenth Amendment, it was deemed necessary to adopt a fifteenth, as follows:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude."

The Fourteenth Amendment had already provided that no State should make or enforce any law which should abridge the privileges or immunities of citizens of the United States. If suffrage was one of these privileges or immunities, why amend the constitution to prevent its being denied on account of race, etc.? Nothing is more evident than that the greater must include the less, and that were already protected, why go through with the form of amending the constitution to protect a part?

It is true that the United States guarantees to every State a republican form of government (Art. 4, sec. 4). It is also true that no State can pass a bill of attainder (Art. 10, sec. 1), and that no person can be deprived of life, liberty or property without due process of law (Amendment 5). All these several provisions of the constitution must be construed in connection with the other parts of the instrument and in the light of the surrounding circumstances. The guaranty is of a republican form of government. No particular government is designated as republican; neither is the exact form guaranteed in any manner especially designated. Here, as in other parts of the instrument, we are compelled to resort to history to ascertain what was intended. The guaranty necessarily implies a duty on the part of the States themselves to provide a republican government. All the States had governments when the constitution was adopted. In all the people participated to some extent through their representatives elected in the manner specially provided. These governments the constitution did not change. They were not to be changed by the States, and it is, therefore, to be presumed that they were as it was the duty of the States to provide. Thus we have unmistakable evidence of what was republican in form, within the meaning of that term as employed in the constitution. It has been seen, all the citizens of the States were not invested with the right of suffrage. In all, save perhaps New Jersey, this right was conferred upon men, and not upon all of them. Under these circumstances it is certainly too late to contend that the meaning of the guaranty in the constitution, because women are not made voters. The same may be said of the other provisions just quoted. Women were excluded from suffrage in nearly all the States by the express provisions of their constitutions and laws, and even in those States where a bill of attainder certainly its abrogation would not have been left to implication. Nothing less than express language would have been employed to effect so radical a change. So also of the amendment which declares that no person shall be deprived of life, liberty or property without due process of law, adopted, as it was, as early as 1791. If suffrage was intended to be included within its obligations, language better adapted to express that intent would most certainly have been employed. The right of suffrage, when granted, will be protected. Who has it can only be deprived of it by the action of law, but in order to claim protection he must first show that he has it.

But we have already sufficiently considered the proof found upon the inside of the constitution. That upon the outside is equally effective. If that had been intended to be employed to effect so radical a change, so also of the amendment which declares that no person shall be deprived of life, liberty or property without due process of law, adopted, as it was, as early as 1791. If suffrage was intended to be included within its obligations, language better adapted to express that intent would most certainly have been employed. The right of suffrage, when granted, will be protected. Who has it can only be deprived of it by the action of law, but in order to claim protection he must first show that he has it.

PHILADELPHIA, 12.—About noon to-day, a high wind blew down the unfinished Agricultural Hall, in which the Centennial grounds building was about one-third completed, and was entirely of wood. Eight laborers were injured, five seriously and one fatally. The building was under contract to be finished on January first.

## CANADA.

## A Snow Storm.

COLLINGWOOD, Canada, 12.—Over six inches of snow fell last night, and it was still snowing this morning.

## FOREIGN.

## GREAT BRITAIN.

Financial Situation of Turkey.—Said by the *Turkish-Balkan* in *Aghion*:—The *Liberian* War has been a great disaster for the Turkish Empire.

LONDON, 12.—The *Times* says that the European powers have exchanged ideas with regard to the financial situation of Turkey. France has not yet declared her opinion, and none of the other powers see any grounds for removing her from the list of belligerents. A Berlin dispatch to the same journal reports that the Turks have seized a quantity of gunpowder and other military stores from the Greek revolutionary committee. The Berlin correspondent of the *Times* telegraphs that a small Russian force has been sent to Karakoram, 150 miles south of Tashkent, in English claim, according to their official maps, that Karakoram is in Afghan territory. In Missouri, persons have given the press a report of the progress of the war of the Liberians with the barbarous tribes; it states that five engagements have been fought, in which the Liberians have been victorious. The Post reports that Holland has sent five men-of-war to the Caribbean Sea, to be ready in case of any hostile movement on the part of Venezuela. The bulletin withdrawn from the

ferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long existed, it can settle the construction of so important an instrument as the constitution of the United States, confessedly is, most certainly it has been done here. But providing to decide what the law is, not to declare what it should be. We have given this case the careful consideration of the law is wrong if it ought to be changed, but the power for that is not with us. The arguments addressed to us bearing upon such a view of the subject may perhaps be sufficient to induce those having the power to make the alteration, but they ought not to be permanent in their influence on judgment in determining the present rights of the parties litigating before us. No argument as to women's need of suffrage can be considered. We can only act upon her rights as they exist. It is not for us to look at the hardship of withholding the right of suffrage from such a class, if it is within the power of a State to withhold.

Being unanimously of the opinion that the constitution of the United States does not confer the right of suffrage upon any one, and that the constitutions and laws of the several States which commit the right of suffrage to man alone are not necessarily void, we affirm the judgment of the court below.—*New York Herald.*

## By Telegraph.

THE WESTERN UNION TELEGRAPH LINE.

## TO-DAY'S DISPATCHES.

## EASTERN.

## The British Polar Expedition—A Duel.

NEW YORK, 12.—A special from London says that a letter has been received from Captain Allen Young, one of the officers of the *Porpoise*, dated Dingo, August 6th, and Waygate Straits, August 9th. The letter describes the voyage as pleasant. The *Porpoise* sailed at 10 o'clock, and had no collisions with icebergs, but the vessel was not injured. The letter describes the crew as working well, all on good terms, and at 11 o'clock they saw the "Pole."

Another London dispatch states that a duel was fought with swords at Veneise, near Paris, on Sunday, between two young men, named Riggs and Paine; the cause was an old family vendetta, which was renewed last Thursday night, in the Roman Campagna. The result of the duel was that Paine was slightly wounded in the arm.

## Trade in New York.

The *Evening Post* says, "As to trade in this city, we can only say that every firm from which we hear reports that sales this season are ahead of those of any season since 1873, on manufactured goods there have been losses to manufacturers, but profits have been made for all through whose hands the goods have passed after leaving the manufacturers. One of the largest dry goods houses reports that its sales during September were one hundred thousand dollars, and ahead of the corresponding month in 1874. This is an exceptional case. Railroad tonnage was never higher on the Great Lakes than now, which, while it does not prove that the railroads are making large profits, for rates are low, does show that the volume of trade is large."

## Railway Mail Service Ordered.

WASHINGTON, 12.—Railway mail service has been ordered from Delano, by Butterfield, to Caliente, Cal., on the Southern Pacific railway, 341 miles, from November 1st, 1875.

## All Quiet.

The Attorney General is in daily receipt of advices from Mississippi. Governor Ames is severe to animating the citizens of the State for their own protection, for the reason that it would produce great excitement. Everything is reported quiet.

## Election Day.

CINCINNATI, 12.—On 'Change to-day, not half the usual number were in attendance, the election absorbing all other interests. The indications are that an unusually large vote will be polled. At this hour nothing can be said as to the result. Both parties are confident of success. There were some attempts at repeating in the 18th and 19th Wards, but they were promptly frustrated.

## A Judicial Decision.

DETROIT, Mich., 12.—Taxing the liquor business was, to-day, decided by the Supreme Court to be constitutional. The main point argued before the court were, first, whether the present liquor law taxing the business was not prohibited by a clause in the constitution, the violation of the existing clause in the constitution, which prohibits the legislature from passing any law which shall interfere with the free trade in liquor; second, whether the tax, being levied by authority of the State, could be constitutionally enforced, since it was applied to the support of local municipal governments; or if it were not so, whether the levying of such a tax was in violation of the constitutional right of self-government possessed by municipalities.

## Disaster Caused by a Wind Storm.

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Bank of England on balance to-day, is \$108,000.

The Turf.

The Doge of Parma with the race for the Czarovitch stakes, to-day.

HOLLAND.

Prudence Necessary.

THE HAGUE, 11.—The minister of foreign affairs stated, in the chamber of deputies, to-day, that the situation with regard to Venezuela was not such as to cause disquietude, but serious enough to counsel prudence.

DEATH.

At the residence of his son, O. C. Ormsby, M.D., Logan, Oct. 1, at 6 p.m., Dr. ORMSBY, 67, son.

John S. Ormsby was born in the State of Pennsylvania, August 25, 1806. His parents died when he was about ten years of age, leaving him penniless, but being of an energetic disposition, he started his way alone, upon his own resources, and being studious, he inclined to study medicine, and graduated in the same, and was also a graduate of Ballou University, after which he practiced medicine in his native State.

In 1831 he went to California, and eventually stood at the head of the medical profession in that State for some time. He was three times in succession a member of the California Legislature from Sonoma county, by the Democrats of that region, he being a Democrat of the first water, and enjoyed the support of the party in the marked degree. In 1836 he came to Utah, and began the practice of medicine, and was favorably known as a physician of experience. In the spring of 1839 he joined the Church of Jesus Christ of Latter-day Saints, in Salt Lake City. Some two years since he removed to Logan, in Cache County, where he has since resided, and has been for many years, and who is now enjoying the advantages of his excellent tutelage and extended experience, which is daily manifest in his wide practice and success in the same.

Dr. Ormsby leaves a wife, who is in California, together with several sons and daughters, who are all well situated and favorably connected. The history of the deceased is a well known one to hundreds of individuals in Utah, who can bear testimony of his many good qualities, and all benefactors of mankind, the virtues of such shine brightest from the grave, from which they will have a glorious resurrection.

JAMES A. LEISHMAN.

At Merion, Cache Co., April 25, of lung fever, after an illness of 10 days, HANNAH ROBERTSON, formerly Hanson.

Deceased was born in Tommerop County, Denmark, June 6, 1826, was married, and had three children, but none living. She received the gospel in 1852, in the hands of the late Elder J. W. Taylor, and was baptized, and was a true and faithful Latter-day Saint, and went to Salt Lake City, where she died.

Continued in *Stirling*, please copy.

At Springfield, Oct. 5, by accident at a house, JOHN, son of James and Mary Ann Marchbanks, aged 21 years; formerly of Southampton, England. *Millennial Star*, please copy.

## Every Person Who Buys

## H. E. Phelps,

SAYS THEY

## GET THE BEST GOODS

For the Least Money.

Of any HOUSE in the CITY.

I have the Finest Stock of Gloves

ever Imported into Salt Lake City;

Shoes and Boots of the Best Quality

and at fearfully Low Prices.

## STAPLE DRY GOODS,

No End to them.

## DRESS GOODS, ANY AMOUNT.

LINSEY AT 22 1/2 Cts. PER YARD.

Three Ply Woolen yarn at \$1 pr lb.

A splendid lot of Ladies' Sets of

Black Furs, Large Capes at Low

Prices: Hats until you cannot rest

without buying.

H. E. PHELPS.

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THAT

## ALL KINDS OF COAL

Is successfully and economi-

cally used every day in

## Many Thousand

## OAK

## MOVES

In this State and elsewhere,

justifies us in stating in reply

to many inquiries, that any

kind of Western Coal can

be used for cooking at less

than half the cost of wood;

and that the large stoves

in our NEW CHARTER

OAK, with the Low Reser-

voir.

## HEAVY FIRE PLATES,

And Dumping Grate,

INSURE AT ALL TIMES

AN EXCELLENT DRAFT,

QUICK &amp; UNIFORM BAKING,

AND PERFECT OPERATION

AT A SMALL EXPENSE

FOR LABOR AND FUEL.

SOLD BY

Zion's Co-operative

MERCANTILE INSTITUT'N,

Salt Lake City, Utah.

## BELCHER'S

## Sugar Refining Co.

Manufacturers of

Cst. Loaf, Crushed, Powdered and

Granulated

## SUGAR

In Barrels, Half Barrels and Kegs. All

of Superior Quality, and

at the lowest prices.

These Goods are kept by E. C. M. I. and

Branch Stores, and by all the C. &amp; I. and

Stores in the Territory.

## NEW ADVERTISEMENTS.

## WALKER BROS.

## VISITORS to CONFERENCE

SHOULD CALL AT OUR

## RETAIL

## DRY GOODS DEPARTMENT

## FOR BARGAINS!

BEST DARK PRINTS, 10cts per yard

BEST LIGHT PRINTS, 7 1/2cts

BEST LIGHT PERCALES, 12 1/2cts

BROWN SHEETINGS, from 8cts

BLEACHED MUSLINS, 8cts

DRESS GOODS, 10cts

BLACK ALPACAS, 25cts

CHEVIOT SHIRTINGS, 12 1/2cts

DRESS LINSEYS, 15cts

DRESS FLANNELS, 35cts

WATERPROOF CLOTH, 75cts

SHAWLS, Wool, \$1.50 Each

BLANKETS, White, \$4.25 pr. pair

BLANKETS, Colored, 3.00

BED COMFORTABLES, 1.50 Each

BEAVER COATS, 3.50

CASSIMERE PANTS, 2.50 pr. pair

CASSIMERE SUITS, 6.50 pr. Suit

Everything Else Equally as Cheap!