

**CONTESTED ELECTION,  
TERRITORY OF UTAH.**

Geo. R. Maxwell vs. Geo. Q. Cannon.

Argument of Halbert E. Paine,  
Counsel for Sitting Member.

(Before the Committee on Elections of the  
House of Representatives of the United  
States, Washington, D. C., 1874.)

(CONTINUED.)

There has been no treaty before or since our acquisition of the Territory of Utah, there has been no statute of the United States to exclude the civil jurisdiction of the Territory from any of these reservations, except that of Uinta Valley only.

But, gentlemen, I detain you too long in these realms of fancy, in the presence of these figments of contestant's disordered imagination, on these mythical Indian reservations of Utah. You have seen that this clamorous charge of fraudulent and illegal voting by inhabitants of these reservations must be miserably false. You have seen that if there were, as in fact there is not, proof that votes were actually cast at this election by inhabitants of either of these four reservations, it would have been not a "stupendous fraud," but an act altogether legal, proper and right. You can now appreciate the counsel's reiterated charge of "stupendous fraud." You can appreciate his solemn declaration that a fraud which has no existence in fact is, nevertheless, notorious throughout the whole Territory. You can justly appreciate his charge against the Territorial Governor of complicity in this stupendous fraud. You can understand how far the entire poll of the Territory was tainted by the poison of the Upas tree, whose roots, and trunk, and branches, and fruits are to be seen in the disordered fancy of the contestant, and nowhere else. You can appreciate, too, the declaration of counsel that he himself, as a territorial judge in Utah, has taken judicial notice of these political plague spots, the Sanpete and Corn Creek reservations. You can imagine what may have been the condition of that people if any considerable proportion of the justice administered to them by federal officials was predicated on "judicial notice" like unto this.

Now, gentlemen of the committee, none of the depositions taken for the contestant are admissible as evidence in this case. All were taken without lawful notice, and objection thereto has been duly made. It is provided by section 3 of the act of Congress of January 10, 1873, that the party desiring to take a deposition in a contested election case shall give the opposite party notice in writing of the time of taking the deposition, of the place of taking the same, of the names of the witnesses to be examined, and of the name of the officer before whom the same will be taken. The notice is to be served on the opposite party, or upon his agent or attorney authorized to take testimony or examine witnesses in the contest. The service is to be personal, if by the use of reasonable diligence personal service can be made. Otherwise, it may be made by leaving a duplicate of the notice at the usual place of abode of the party or his attorney or agent. The notice, with proof or acknowledgment of service, is to be attached to the depositions when completed. The old statute, which was in force until the enactment of this law of January 10, 1873, contained all of these requirements, excepting only the provision for attaching the notice to the depositions; and it contained also the additional requirement that the notice should show the residence of the witnesses to be examined.

(TO BE CONTINUED.)

WRAPPING PAPER, of various sizes, some of the best ever manufactured here, for sale at the NEWS Office.

SUSTAIN HOME MANUFACTURE by purchasing Boots and Shoes at the Workingmen's Co-op., 99 Main St., and send there for Leather, Shoe Findings and Kit. w29 tf.

CONFERENCE NOTICE.—H. Brunton, late of the Washington House has removed to the Overland House Meals 30 cents. w13 1y

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 forever, Mrs. S. HYDE, 7th Ward. d 224 tf

**The Favorite Route East**  
Running from Omaha to Chicago, you will find the CHICAGO and NORTH-WESTERN RAILROAD It is the oldest, shortest, quickest and best route. No changes of cars. All its passenger trains are run on express time. Emigrants are carried on express trains only. Pull man Palace Cars, Steel Rails, Air Brakes, Miller Platforms, no dust, speed, comfort and safety are assured. Ask for tickets via this route and take none other.

W. H. STENNETT,  
Gen. Pass. Agent.

Tickets for sale at White & McCormick's Bank, Salt Lake City. w1 1y

**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, foot board, lazy back to seat, top bed, bows, California brake, stay chains and 3 tires; 3½ Wagons, \$130, and 3¼, 127.50. A written guarantee given with every wagon for one year. A liberal discount given to dealers. w20 2m

NAYLOR BROS.

**Surveying and Conveyancing.**

SPECIAL attention given to the location and survey of Government Patents. Deeds and other instruments of writing drawn up in proper form and neatly executed, by

ANDREW CAHOON.

Surveyor and Notary Public,  
SOUTH COTTONWOOD,  
Salt Lake County, U.T. w29 1m

**GRAND MEDAL  
Of Merit!**

**VIENNA WORLD'S FAIR!  
1873,**

AWARDED TO THE



**FOR COAL & WOOD!**  
THE BEST BITUMINOUS COAL

**COOKING STOVE**

In the World.

THE MONITOR has gained a far-famed reputation. No higher encomium can be bestowed upon a Cooking Stove than to say that every house-wife who uses it speaks in its praise and recommends it to her neighbors and friends, for economy, cleanliness and reliability in all its operations

**34,537 MONITORS**

Now in Use.

Also the Celebrated

**Santa Claus  
COOKING STOVE,**

For Coal and Wood, WHICH HAS SUCH A DEMAND ALL THROUGH THE TERRITORY, FOR BEAUTY AND EXCELLENCE CANNOT BE SURPASSED.

All our STOVES are kept For Sale by Z. C. M. I. and all its Branch Stores; also by all the Co-operative stores in the Territory.

MANUFACTURED by WM. RESOR & CO  
CINCINNATI, OHIO.  
d247 e96 w23 6m ea.

**FARMERS!**

Our **THRESHERS** have arrived, and as we shall import no more this season, first come will be first served.

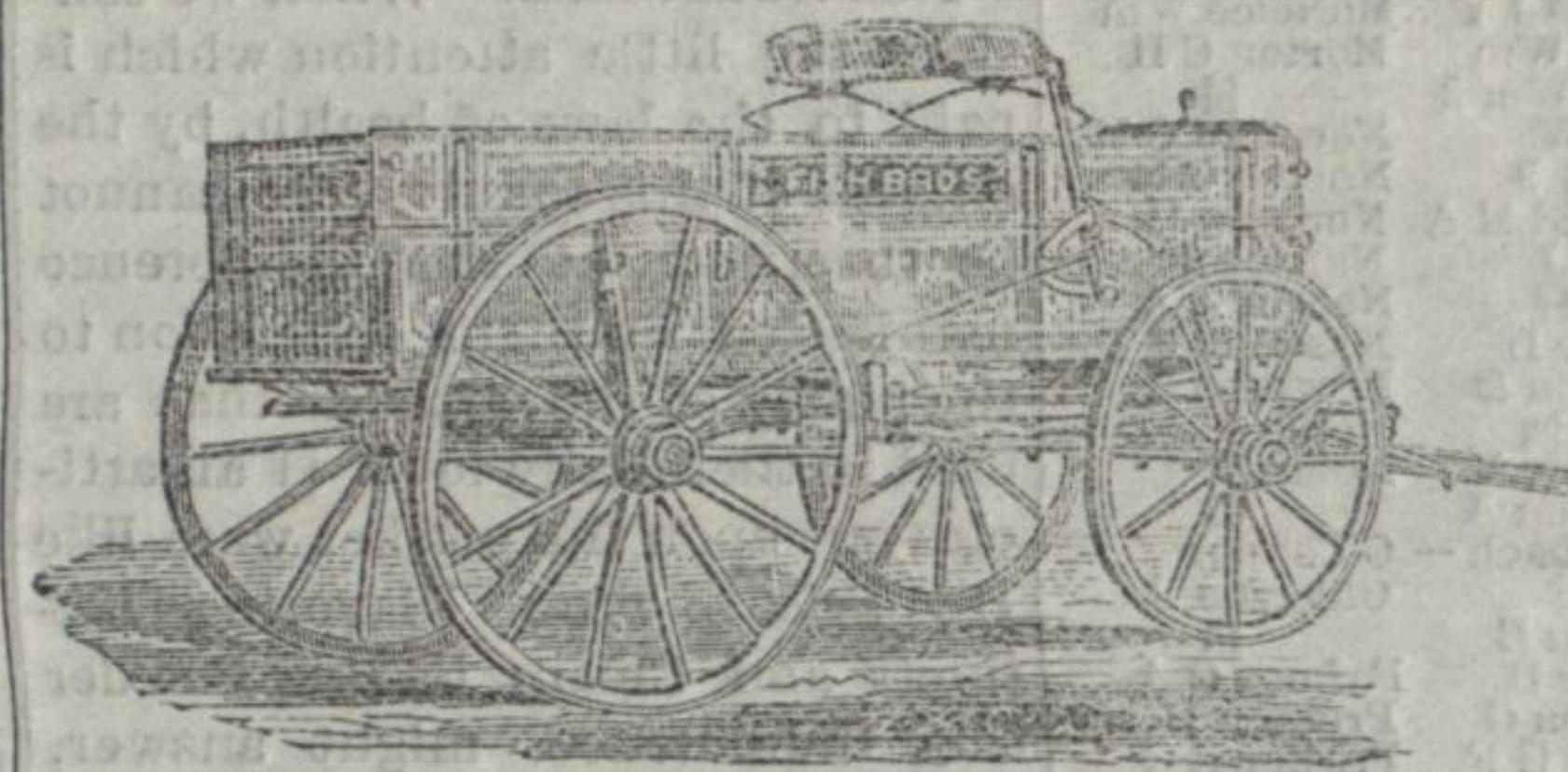
We are selling much of our Machinery below cost, including the Excelsior, World, Dodge, Russell, Sprague and Woods' Mowers and Reapers.

The Wagon trade is very dull, but we are selling to suit the times, warranting for one year and accommodating reliable men.

**Z. C. M. I.**

**W. H. HOOPER, Supt.**

w23 2m



**Fish Bros. Utah Wagon! --- The Mitchell Wagon!**

WE INVITE THE ATTENTION OF THE people of Utah—especially the FARMERS—to our Wagons, manufactured this year for the Utah Trade. We have made still further improvements to merit your approbation.

Before purchasing call on JOHN W. LOWELL & CO., our General Agents for Utah, or on their sub-agents in the several towns throughout the Territory.

Special Inducements to Cash Customers.

Remember that every Wagon from this date is FULLY WARRANTED FOR ONE YEAR. Mark this: we sold SIX HUNDRED AND EIGHTY-THREE Wagons in Utah last year, and not a single case occurred where a wheel required any repair whatever.

**Fish Bros. & Co.,**

Manufacturers,

RACINE, WIS.

w13 1y

**JONES' PLOWS,**

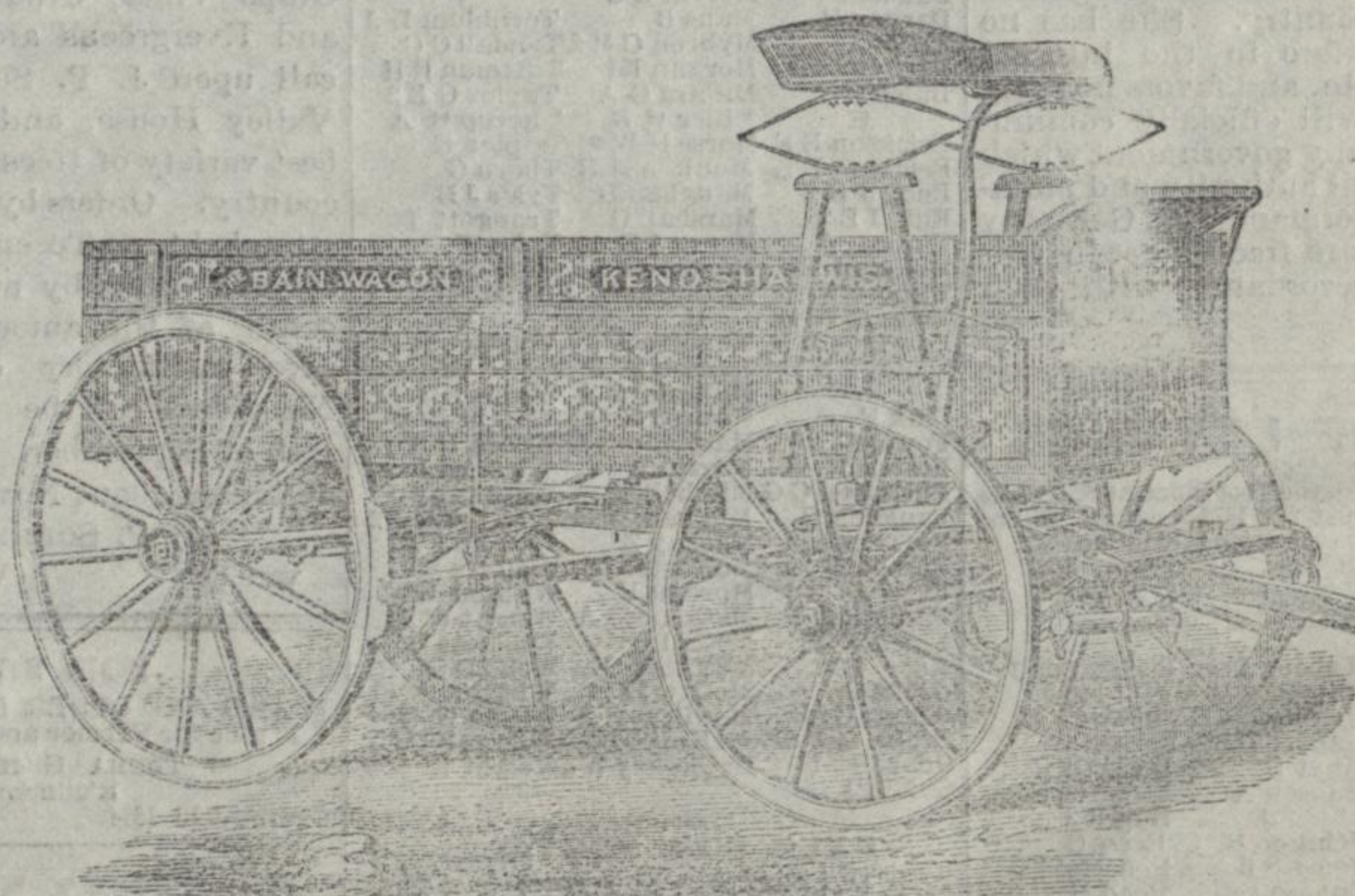
Which we guarantee to be better than any others in the market, AT COST.

**John W. Lowell & Co.,**

Salt Lake City,

**UTAH.**

**BAIN WAGONS!**



IF YOU ARE GOING TO BUY A GOOD WAGON, ASK YOUR NEIGHBOR WHO HAS a Bain Wagon: He will tell you it gives BETTER SATISFACTION than any Wagon ever used in Utah.

**Z. C. M. I., EAST BRANCH, SELL the BAIN WAGON at PROVO.**  
A full Stock of Hardwood and Wagon Material always on hand.

**First Wagon Depot South of Theatre.**

**SEBREE & ROBERTSON.**

w24 yearly