one applicant was refused admission because of his belief in certain religious doctrines, another would be refused, by an opposite-minded committee, for unbelief in the same tenets. Hence I claim that such questions are improper, and as such I respectfully decline to answer them.

"Yours Respectfully,
"CHAS. W. STAYNER,
"Applicant for admission to the Bar of the Supreme Court."

After the presentation of the answer, yesterday, Messrs. Bennett & Rosborough appeared, informally, before Chief Justice Schaeffer and Associate Justice Emerson, of the Supreme Court bench, and presented a report, accompanied by the questions and answer.

The applicant desired a hearing in the matter, which was garnted, Mr. P. L. Williams appearing for him. The latter made a clear and forcible argument, showing plainly, from the opinions of the Supreme Court of the United States, that questions touching the religious or any other belief of an applicant for admission to practice in the courts were totally improper. He showed that it would be as reasonable to ask the applicant if he believed in the "immaculate conception" as to apply the interrogations under consideration.

Messrs. Bennett and Rosborough simply stated, in effect, that ideas or belief upon religious tenets was a portion of a person's character, and assisted in forming his status of morality. They considered it a duty they owed the Court to ascertain the views and feelings of applicants for admission, upon an institution peculiar to this Territory. They considered it proper that the Court should take cognizance of the peculiar condition of the Territory when considering the qualifications necessary for admission of an applicant to the bar.

In reply to the argument of Mr. Williams, Mr. Rosborough stated that in the authorities referred to it was the acts of the applicant that were touched upon, and which were decided to form no bar to his admission.

Mr. Williams answered that that fact made Mr. Stayner's position all the stronger, the questions put to him being upon matters of mere belief.

Mr. Bennett remarked that had the questions been as to whether the applicant practised polygamy they could not have been properly asked.

Comment upon this action of the examining committee is almost unnecessary. It speaks for itself. The two gentlemen who figure in the matter have done a very ridiculous thing. They have placed themselves in a very absurd light. They are both men of intelligence, and therefore no one could suppose they took the action they did in good faith. They know to debar a man from any privilege to which any citizen possessing the necessary professional qualifications is entitled because of his belief is not only diametrically opposed to the letter and spirit of the constitution, laws and institutions of the country, but is intolerant, narrow, and pusillanimous on general principles.

The natural and acquired intelligence of the gentlemen must have suggested to them that their position was far-fetched, partisan and bigoted, and the only motive appearing on the surface for their course is to create effect in their behalf; to make a little professional or political or some other kind of capital all to themselves, by appealing to the prejudicies of the beclouded anti-"Mormons."

This religious test business, on matters of mere belief, comes with bad grace, exceedingly bad grace, from a couple of legal professionals, who, one would imagine, should at least assume some dignity of tone and manner, if they possess it not on natural principles. Gentlemen, that kind of thing won't do. Such contracted business from such a "liberal" source has but a poor appearance, and will do you no credit when the legal luminaries abroad get hold of it. Don't do it any more, gentlemen, you will do yourselves hurt. You see it won't do for you to say after this that "Mormons" are exclusive, narrow or bigoted. If you did say so, they could truthfully say it is not true, and might add, correctly enough, that if they were to follow your example they would be willing to admit the "soft impeachment."

The man who believes in the system of marriage peculiar to the Latter-day Saints, believes in a system that is highly moral and elevating, and therefore if, as the committee assert, a man's belief has something to do with the formation of his character, a man's moral status would be raised by a belief in such an institution. As the morality of the matter is what the gentlemen pretend to be after, it might be in place for them, when acting on similar committees in future, in view of their highly moral proclivities and solicitations, to put the applicant questions about like the following—

First—Do you, or not, believe in the practice of frequenting houses of prostitution?

Second—Do you, or not, hold such practice to be justifiable, notwithstanding the numerous existing laws, providing penalties for the crimes of prostitution, adultery, etc.?

Third—Do you, or not, hold such practice to be consistent with morality and good citizenship?

Not only might the gentlemen put such questions as these to applicants for admission to the bar, but suppose they appoint a committee of inquisition for the purpose of discovering who, if any, of the members of the bar are in such mental condition as to offer an affirmative answer to thse interrogations, with a view to turning them out of the pale of a bar, whose circle environs gentlemen of such elevated moral tendencies as the aforesaid immaculate committee men. Don't do your business by halves, gentlemen; go at it wholesouledly, if you have to sacrifice nine-tenths of the members of the Salt Lake bar in doing it. Go in and get your names up.

The Court decided, informally, that the committee could ask the applicant number two and three of the questions, and the following answers were made thereto—

"I do not hold it justifiable to violate the Constitution of the United States, or any law made in pursuance thereof.

"I do think a person may be a good citizen and practise plural marriage, as a part of his religion.

"CHAS. W. STAYNER."

The committee reported to the Court, that they found the applicant competent as regards his legal attainments, which they submitted, together with the two questions and answers.

The Court decided that Mr. Stayner be admitted an attorney of the bar, and the oath was accordingly administered to him.

It is proper to say regarding the religious test questions put to Mr. Stayner, that Mr. Rawlins, a member of the examining committee, dissented from the putting of all of them.

FROM FRIDAY'S DAILY, JUNE 15.

From Woodruff.—Bishop Lee of Woodruff is in town and reports all well in the regions of the upper Bear. Plenty of grass, stock fat, people healthy, and lots of butter and cheese. The Saints are happy and contented and trying to improve the country. There is plenty of room for fifty more families. Water, land and timber are plentiful, and here is an opportunity for some of the unemployed of Salt Lake to make a home and achieve independence.

A Gala Day.—By letter from Brother George B. Bailey, we learn that the Sunday school children of Mill Creek Ward and their parents spent yesterday agreeably at Hill's Farm, adjoining the Ward meeting house. There were good music, singing, dancing, boating and other amusements.

In the evening there was a party in the meeting house, the proceeds to be applied for the benefit of the Sunday schools of the Ward.

There are four Sunday schools in the district, aggregating three hundred and sixty-five scholars, who meet every Sabbath, in the district school-houses, under the supervision of Superintendent J. F. Snedaker, aided by three assistants.

The evening party dismissed at ten o'clock, everybody who participated having enjoyed an excel-time, throughout the entire day.

A Murderous Affray.—Last night a couple of men named Renshaw, father and son, approached William Smith, while the latter was at work, at the gas works, and purposely picked a quarrel with him. They finally made an attack on him with a knife, a bar of iron and a shovel. Smith received a couple of terrible cuts in the head, one of the blows chipping the skull and the other slicing the scalp away from it. The wounds bled profusely. As a blow from the iron bar, in the hand of one of the Renshaw's was descending upon Smith he raised his arm and received the implement upon his wrist, inflicting a painful injury, from which he now suffers badly.

During a struggle with the elder Renshaw, Smith threw the latter over a tub of mortar, breaking three of his ribs.

While the affray was in progress a stoical or irresolute Teuton stood quietly by, looking on, without interfering.

Peculiar Reasoning.—The opinion rendered yesterday, by the Supreme Court, in the suit of Salt Lake City *vs.* Henry Wagner, will be found in the NEWS of to-day.

With all due respect to the two learned justices who make the decision, we cannot but consider the reasoning upon which it appears to be based as somewhat illogical and far from conclusive. The municipal charter gives the city the power to "license, regulate and restrain the manufacture and sale of spirituous and fermented liquors," &c., and the reasoning of their honors is that a person engaged in such business inside the corporate limits is exempt from license because his premises are distant from the thickly settled portion of the city. Were this position sound it would involve the degree of liability to license according to the locality; and equity would demand that the amount of license should be graded, placing the highest point say in the centre of the city and dwindling away to nothing as the place of business reached the jumping off place, at Wagner's brewery.

This opinion appears to involve the question as to whether the exemption of some parties on account of locality is or is not an injustice to those otherwise located and therefore not exempt.

As to the idea of Mr. Wagner not receiving an adequate return for the amount of license fee, it seems somewhat pointless, the very existence of the City, with its municipal government and regulations being almost if not entirely, the source of that gentleman's immense business.

In the opinion the following language occurs—

"A municipal corporation is 'one investing the people of a place with the local government thereof.' The 'local government' cannot be said to include that which is not local, nor in any way concerns 'local' affairs."

Now if matters coming within, and transpiring inside the limits of a corporation are not in every sense of the word "local," we "give it up." If the boundary lines of the corporation are not sufficient to distinguish between that which is local and that which is otherwise, then some other settled defining boundary should be given and understood.

If Justice Emerson shall file a concurring opinion he may be able to diffuse a little more light through that side of the subject. If he does not, there appears an open and fair field for Chief Justice Schaeffer to knock it into splinters, so far as the logic of the matter is concerned, with a dissenting argument.

Indian Antiquities.—The following has been handed in by Prof. J. L. Barfoot, with a request to publish—

"On the 30th January last a lady handed in her card, on which was, Miss Julia J. Wirt. She stated that she was authorized to dispose of a skeleton of a large man, found in a mound at Payson, in which many curious things, apparently of great antiquity, had been found. Also that some wheat had been taken out and grown, and that, for a proper consideration, all these extraordinary Indian curiosities could be obtained for our Museum. I agreed to go to the mounds and examine them, if a pass were given me, and to obtain a purchaser if I found things as represented to be, genuine Indian antiquities. The lady remarked that I appeared to doubt the finding of wheat in a condition to grow; I asked her if she believed it possible for wheat that had been buried in the mounds for perhaps ages to still retain its vitality? She admitted she did not. Since then I have not seen or heard from any one about this affair, but I have noticed in the report of the proceedings of the Davenport Academy of Natural Sciences that the wheat alluded to had been "found in a mouse's nest," and had been palmed off to deceive the public "in the interests of the Mormon Church." This appears to me to be unfair. What has the Mormon Church to do with the imaginings of one or two untrained explorers of the burial places of the Indians? Perhaps some of your correspondents may be able to give further information respecting these Utah Indian mounds."

In connection with the above we herewith give the portion of the published proceedings of the Society named regarding the letter alluded to in the foregoing—

"Dr. Parry read a letter from a corresponding member in Utah, exposing an attempted fraud in the interest of the Mormon Church, in reporting the discovery of wheat in mounds, which really came from a *mouse's nest.*"

It appears to us that Dr. Parry would have shown a little more courtesy to Prof. Barfoot, a corresponding member of the Society for Utah, if he had referred the subject matter of the communication to him. The "attempted fraud in the interest of the Mormon Church" is the purest nonsense. How the interests of the "Mormon" Church could be influenced for good or ill by the taking of a few grains of wheat from a mouse's nest, and some party stating they were taken from an Indian mound is difficult to discover. We confess to inability to see the slightest connection between such a circumstance and the interests mentioned.

There is no accounting for the extent to which some men will go, in venting their spleen and manifesting their prejudice against the "Mormon Church," but this is about as thin a dig in that direction as could be produced. It is sufficiently transparent to lead one to suppose that Dr. Parry and his colleagues might have seen through it readily. The corresponding member who wrote the letter may be a good kind of a man, but there is one element of which he is evidently entirely deficient—common sense.

Supreme Court.—The Supreme Court met yesterday afternoon, Chief Justice Schaeffer and Associate Justices J. S. Boreman and P. H. Emerson on the bench.

On motion of Judge Hagan, E. F. Dunne, Esq., late of New Mexico, was admitted to the bar.

Judge Bennett, who was appointed for the purpose at a bar meeting held in April, presented the resolutions adopted at said meeting in respect to the memory of the late Hamilton Gamble, and asked that they be spread upon the minutes of the court. So ordered.

Doane *vs.* Clinton *et al.*; application for an extension of time for filing the transcript on appeal granted, and motion to dismiss the appeal overruled.

The Court then announced the adoption of a couple of new rules, which were read.

Mr. E. C. Jacobs was appointed United States commissioner at Corinne, and Mr. Daniel Alexander at Ogden, in the place of E. A. Street, resigned.

The committee appointed to examine Mr. C. W. Stayner, an applicant for admission to the bar as an attorney, reported favorably on said application; whereupon Mr. Stayner was duly admitted and sworn.

Opinions were then announced in the following cases, as indicated, all the justices concurring except where otherwise stated.

In the matter of the contest for deed of part of lot 3, block 104, plat A, Salt Lake City survey, between John Gray, respondent, and Amos Howe and John Smith, appellants; judgment of the lower court reversed; opinion by Emerson, J.

T. J. Almy *vs.* Jacob Hess; judgment of the lower court confirmed; opinion by Boreman.

J. C. Morrison, Jr., *vs.* J. J. O'Reilley *et al*; judgment of the lower court reversed; opinion by Emerson, J.

Harriet Crompton *vs.* Charles Crow; judgment of the lower court affirmed; opinion by Boreman, J.

James Duncan *et al vs.* Frank Randall *et al*; judgment of the lower court affirmed; opinion by Boreman, J.; Emerson, J., dissents.

J. Giblin *vs.* Wm. Mcintyre; Judgment of the lower court affirmed; opinion by Schaefer, C. J.

S. W. Taylor *vs.* County Court of Salt Lake County; judgment of the lower court affirmed; opinion by Boreman, J.

Salt Lake City *vs.* Henry Wagner; judgment of the lower court reversed; opinion by Boreman, J. Schaeffer, C. J. dissents.

Walker Brothers *vs.* Hamburg, Bremen Insurance Company; judgment of the lower court affirmed; opinion by Emerson, J.

John Tiernan *vs.* Nicholas Trewick; judgment of the lower court affirmed; opinion by Emerson, J.

Our Country Contemporaries.

Utah County *Enquirer*, June 13—

On Saturday last, a little daughter of Mr. John Burristons of Goshen, was in the stable, and carelessly striking a match the straw caught fire, and the place was instantly in flames. The neighbors ran immediately to the spot and by their exertions and care the fire was confined to the sheds and haystacks. The fire happened during the afternoon. The loss consisted of the sheds, hay, straw and a saddle. The teams were out at work. Mr. Burriston was absent at Salt Lake City on business.

Sheriff John W. Turner, of Provo, received a telegram from A. G. Sutherland, Esq., requesting him to go at once to take into custody Wallace Wilkinson, who killed William Baxter of Homansville on Monday evening last. Mr. Turner received the telegram in time to go with the southern train and started at once for the prisoner. Since the above was in type the prisoner has been brought to Provo. We learn by letter from a gentleman in Goshen, that Wilkinson and Baxter were playing at cards, at Homansville, and quarrelled on some matter, when Wilkinson drew out his revolver and shot Baxter through the head, killing him instantly. Wilkinson made his escape but was soon captured. An examination was held before Justice Edwards, who committed him to await the action of the grand jury of the First Judicial District. Wilkinson is said, by our correspondent, to be a bad man and desperado, and that he will need watching closely, as he will be sure to get away if we have not a good and safe place to hold such a character. Mr. Baxter was a merchant in Eureka, and well-known as a good-hearted, generous man, but of a hasty and high temper. His company, unfortunately in this instance, was low and vicious.

Ogden *Junction*, June 16—

Mr. Stowell, who lives at the foot of the mountain east, informs us that the grasshoppers, for ten days past, have been attacking the wheat and other cereals in that neighborhood, the little malefactors cleaning off an acre of corn yesterday, they are being fought persistently, and it is hoped to save a portion of the wheat.

Utah County *Enquirer*, June 16—

On Thursday evening Mr. Samuel Bailey of the Second Ward, Provo, was riding a wild horse, and the animal threw him to the ground and while down trod and stamped on him on the breast, by which he was bruised and injured very much. He was picked up in a state of insensibility and carried home, and it was some time, with great care and persistent attention before he recovered consciousness.

On Tuesday morning last, Mr. Jeremiah Bingham, senr., of Payson, was at work in the gravel bed, near that city, the bank caved in upon him. He was taken out immediately and it was discovered that one of his legs was broken just below the knee, and he was otherways severely bruised and hurt. Surgical aid was called and the limb set, and he is doing as well as can be expected.

Beaver *Square-Dealer*, June 15—

The Beaver County furnaces are taking a rest. They appear to get tired pretty often.

The lowest proposal to furnish the government hay on its last bid for Cameron was $25 per ton.

The thermometer in this office registered 90° on Wednesday last. Yesterday the mercury was content to stop at 82° and 84° to-day.

The growing wheat crop in Iron County is reported butter than for a number of years past.

The rabbit nuisance is rapidly disappearing from Southern Utah. They will do but little if any damage to growing crops this year.