relations with her husband are conmed? Judge Zane says there is legal force and effect, while our con-clusion has only such effect as it may produce on the public mind by the pres of reasoning.

Seeing that there is no statutory arriage law in this Territory, the amon law is said to prevail. If a an lives with a woman as his wife the Leadville Democrat, and also the BY TELEGRAPH. al standing as his wife, providing, of ourse that there is no one else living tho has that status of right. After the eath of Edward Senior's first wife, it ppears that Eliza, his former plural wife, lived with him as his only wife nd bore his name, being called Eliza lenior as defendant in the action before the court. Under the common law then, was she not his legal wife? If not, why not? The formal marriage with Eliza con-The formal marriage with single of the first vife, though valid ecclesiastically, was void in law; there is no dispute as to that. But when the man Edward Senior had no other wife living, and then acknowledged and lived with Eliza Senior as his wife, continuing that relation, publicly known, until his decrease, we claim that the woman was his wite under the common law, and was therefore entitled to her legal hare in the estate of which he died intestate. The conditions changed at the death of the first wife. Eliza Senior was Edward Senior's only wife. No ceremony of marriage is requisite under the common law. The consent of the parties subsequently confessed or acknowledged, or even inferred from continual cohabitation and reputation as husracted during the lifetime of the first cohabitation and reputation as hus-band and wife, is sufficient to establish s marriage under the common law, ex-cept for purposes of a criminal proseution or a civil action for adultery. If we are not mistaken, Judge Zane has permitted evidence to be adduced in his court, even in a criminal proecution, tending to prove a marriage by the simple admission of one of the parties-the defendant, that the oman with whom it was claimed he on Monday, Dec, 15, made the followad contracted a polygamous marriage ing decision was his wife. Is such evidence is adnissable in a criminal prosecution, ow much more convincing is it in in a ivil suit which does not require proofs s definite as in a criminal action? This is a matter of great importance in this community, where circumstances similar to those of the case under eration are numerous. In Utab s plural wife who subsequently becomes the only wife is the acknowledged and recognized lawful wife, and abould be so for the purpose of inher-itance, in law and in justice. If there was any ceremony required in Utah to HE EXECUTION AT LARAMIE.
HE EXECUTION AT LARAMIE.
HE EXECUTION AT LARAMIE.
Ind source of the hanging, at Laramic, last
Ind, brother-in-law of the assassin.
In the dead having been done a year ago do not see how a Court before whom an argument based on these grounds was clearly presented, could endorse the ruling of Judge Zane. We hope this case will go to the Supreme Court of the Territory on appeal, that all the questions bearing upon it may be thoroughly investigated.

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tives taking a stand for constitutional principles and the common rights of citizens, when the liberties of the mabot any change; we think there jority of the people of Utah have been as the right to his assailed. Nearly all who took a posiassailed. Nearly all who took a posiviews, we have a right to ours. He may publish his opinion, we may publish ours. But his decision has tion when it has been proposed, have been returned by their constituencies

LEADVILLE AND SALT LAKE. A SHORT time since the NEWS made some comments on the efforts that are being made by Mr. W. H. Stinson, of

"Iamily" as used in the statute ex-empting property from sale on execu-tion is confined in terms to the sec-tion wherein it occurs, and throws no light upon the term as used in the sec-tion under consideration. The claim that the defendant was a member of the family of the deceased and as such has a homestead right, is without warrant in law; her associa-tion and cohabitation with him under the guise of marriage, the law charac-terizes as adulterous and was nothing less than persistence in crime. The Court is of the opinion that one-half of the premises descended to Amy Sugden, the plaintiff, and that Edward Senior and Frederick Senior each took one-fourth. And judgment will be rendered accordingly. C. S. ZANE. PIONDER



A few doors west of Price & Clive's, where

he will be pleased to see his old

patrons and the public

generally.



BROWNS



WANTED.

DELINQUENT CITY TAXES.

CITT TAXES FOR THE YEAR OF 1884 became delinquent on the 1st day of November. Those remaining unpaid, (un-less paid forthwith) will be collected by levy, and sale of property, as provided by City Ordinances. M. W. TAYLOR, Office, No. 7, City Hall. December 3, 1884.

Wishes to inform his friends and the publi that he has OPENED the UNION MARKET, 50 MAIN STREET. site the Hooper & Elderedge Block. Beef, Pork, Veal and OF THE VERY BEST QUALITY. AT CHEAPEST BATES.

> . L. ELIASON 162 Main Street. Owing to the Large and Elegant Stock o

> > OPTICAL GOODS **100 LADIES' WALKING JACKETS** AND -CLOCKS, JUST RECEIVED.

We will give SPECIAL INDUCEMENTS TO OUR CUSTOMERS.

WATCHES

IN GOLD AND SILVER CASES

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150 MISSES' CHINCHILLA CUATS, - ALSO IN -Howard, Eigin, Waltham, Springfield and 4 to 16 Years, \$2.50 EACH, ALL SIZES. Centennial

character. From there he returned to Leramie, where he waylaid his brother-in-law on the street, shot and killed him in a most cowardly manner. Mr. Joseph Blunt made the following statement this morning, which we give without any attempt at explanation: "On the day the murder took place, while I was at work in the upper part "Diagonal day in the upper part" be cited. Counsel for defendant insist that the laws of Mexico, or the civil law, is otherwise, and that upon the acquisi-tion of California, of which Utah was a part, from Mexico, the laws of that country continued in force in the cedeal Territory until expressly al-tered, and that such change had not been made in this Territory, at the death of the intestate. while I was at work in the upper part of my house, a great commotion oc-curred down stairs. My wife and some of the children heard a noise as of some one failing, and for several seconds there was a succession of groans and moanings as of a person suffering mor-tal agony. The inmates of the house were greatly startled, and seeing no person about they ran outside expect-

business relation between Salt Lake and that city. The Democrat, after AMERICAN. quoting the NEWS' article on the sub-LATEST BY LIGHTNING. ject, comments as follows:

"The Democrat's object in sending a man to Salt Lake was to agitate the subject of establishing closer trade re-lations with that city, and from the success thus far met with, we have no doubt his mission will result in some practical good. The products of the great Salt Lake valley can have no bet-ter markets than the mining camps of the Rocky Mountains, and if proper concerted efforts are made at both ends of the line, there need be little trouble in securing a trade that

SUGDEN VS. SENIOR.

RULING OF JUDGE ZANE. WHEN & FIRST WIFE DIES, & PLURAL WIFE DOES NOT BECOME THE

LEGAL WIFE. In the case of Sugden vs. Senior in the Third District Court, Judge Zane

AMY SUGDEN, et al. ELIZA SENIOR.

This is an appeal from the Probate Court of Salt Lake County. By agree-ment of parties a jury is waived and the case is submitted to the court upon a stipulation; from which it appears that on the 3d day of March, 1870, at Salt Lake City, the late Edward Senior having a inwful wife living, with her consent married Eliza Senior, accord-ing to the forms of plural marriage prescribed by the Church of Jesus Christ of Latter-day Saints, of which they were all members; that he lived and consbited with both for several months, when his lawful wife died, and afterwards with the other to the loth

Particulars of the Attempt to Blow

LEIPSIG, 16.—The names of anarch-ists besides Reinsdorf and Bachmann, whose trial began yesterday for at-tempting to cause an explosion at the unwelling of the Niederwald monu-ment toGermany are Knechten, Rupert Holzhauer, Sockngen, Rheinbach and Toeliner. The trials will last a week. Four counsel were employed for the defense. Rupsch confessed that Reins-dorf ordered him to fire the mine. This consisted of a large stone jar and glass bottle filled with dynamite fur-nished with percussion caps. To these THE EXECUTION AT LABAME, Transmar, we published a brief array of the same printing of control of a large size from the size of a large si large size of a large size of a large size of a lar the murderous plan. BUSINESS NOTICES. ENDLESS VARIETY Of endless things in different colors at C. J GCSTAVESON'S. Costs nothing. Call and see them. d&s Furniture. We have decided to sell all fancy furniture at cost, or very near to cost, until after the Holidays. BARRATT BROS.



Railroad Accident.

The Iron and Steel Associa-tion says he has just returned from an extended trip to Pittsburg and other points on the Pennsylvania railroad and its connections, and must frankly confess he found most branches of business in a very depressed condition, although there was a notable absence of that hopeless feeling among the people which prevailed in years fol-lowing the panic of '78. STRAYED. FROM RESIDENCE OF MR. ARTHUR Pratt, in the 15th Ward, a large Jersey cow. Has tips of horns sawed off. No brands. Any person returning her to above address will be rewarded. dif

I HEREBY GIVE NOTICE TO THE public that I will not be responsible for any debts not contracted by me personally. DR, JESSE J, MURPHY. "Where is that Liar Barker?"

"Where is that Liar Barker?" WASHINGTON, D. C., 16.—A number of witnesses were examined to-day by the sub-committee investigating al-leged irregularities in the first comp-troller's office relative to the reputa-tion of J. J. Barker for truth and veracity. E. W. Ayers, correspondent of the Kars is City Times, said Barker's reputation was bad and he would not believe him under oath. He said he volunteered testimony against Sona-tor Ingalls in the investigation of that gentleman's election to the Senate several years ago, which proved a lie from beginning to end. Ayers con-tanued: "A great many Kansas people come here and want to know where that liar Barker is. The papers have denounced him as "the universal and mastodonic fiar of the age." "What do you think of me, Mr. Ayers," asked Parker. "I think you are the grandest liar of the age."

FOREIGN.

PATCHES

up Emperor William.

correct diagnosis of this disease and can be depended upon. 50 cts, at druggists; 60 cts. by mail. Sample bottle by mail 10 cts. ELY BROS., Brouggists, Oswego, N. Y LATEST TRANSATLANTIC DIS

> **AYER'S** herry Pectoral.



. Fditor of The Crescent." " Mt. Gileać, Ohio, June 26, 1882.

NOTICE.

CATARRH HAY FEVER



water and inflamed eyes. Baim is a remedy founded on a sposis of this disease and can be

No other complaints are so insidious in their inck as those affecting the throat and lungs. in the state are also the instant of the second sec

<text> COUNTY TAX SALE.

NATHANIEL V. JONES, Collector for Salt Lake County. County Collector's Office. No. 5, County Court House, Salt Lake City, Dec 9, 1884. d5 s2 w1t

SaltLakeTheater--Opera! **4 NIGHTS AND CHRISTMAS MATINEE** COMMENCING MONDAY, December 22d, 23d, 24th, 25th. AMERICA'S FAVORITES, THE POPULAR AND RENOWNE EMMA ABBOTT Grand English Opera Company.

Strongest Array of Noted Artists Ever Heard In English Opera. PRIMA DONNAS-Emma Abboit, Laura Bellini, Lizzie Annandale. Tenor Wm. Castle, Valentine Fabrini, Maurice Connell. Baritones-The Renowned Tagliapietra, the Famous Campobello. Basso and Buffo- William Broderick, Walter Allen, Robert Ward Grand Chorus and Orchestra! THE FOLLOWING BRILLIANT REPERTORY WILL BE GIVEN:

fonday-"Abbott's Last Rose of Summer." Wednesday-Three Prima Donnas MARTHA. MIGNON. Abbott, Annandale, Fabrini, Campobelle, Broderick, Allen, Connell, Abbott, Beliini, Annandale, Castle Campo belle, Allen, Broderick. fuesday-Emma Abbott's Greatest Success,





BROTHERS

BUY USEFUL PRESENTS

HOLIDAYSI

\$75,000 Worth of Seasonable Goods,

to be Closed Out Previous to

STOCKTAKING.

GREAT REDUCTION IN PRICES.

500 Ladies Elegantly Trimmed

DOLMANS,

AT \$10.75 AND \$12.75 EACH.

\$5.00 AND \$6.00 EACH.

Reduced from \$7.50 & \$8.75

CLOTHING:

300 Boy's Suits (4 to 10 years) 2.25 suit 200 Youth's Suits (10 to 17 years) 6.00 100 Men's Suits. 6.00 Reduced from \$15.00 and 20.00 suit.

N. D.-"I have used AYER'S CHERRY PECTORAL in my family for several years, and do not hesitute to pronounce it the most effect as remedy for coughs and colds ue have ever tried. A. J. CRANE." Lake Crystal, Minr., March 13, 1882. "I suffered for eight years from Bronchitis, and after trying many remedies with no suc-cess, I was cured by the use of Aven's CHER av PECTORAL. JOSEPH WALDES." Byhalia, Miss., April 6, IE82. "I cannot say enough in praise of AYER'. CHERRY PECTORAL, believing as I do that but for its use I should long since have died from lung troubles. E. BRAODON." Palestine, Texas, April 22, 1882. No case of an affection of the throat of ungs enists which cannot be greatly relieved by the use of AVER'S CHERRY PECTORAL. and it will always cure when the disease i not already beyond the control of medicine. ome Cured YARMOUTH BLOAT-S, at H. E. Frson's, 40 Market Row. PREPARED BY Dr. J. C. Ayer & Oo., Lowell, Mase. Rold by all Druggists.