

BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

AMERICAN.

WASHINGTON, 4.—A decision was rendered by the Supreme Court of the United States, to-day, in the case of John Miles vs. the United States, brought here by an appeal from the Supreme Court of Utah. Miles was indicted for bigamy in the Third District Court, Utah, at Salt Lake City. A trial was had and the jury rendered a verdict of guilty. Miles thereupon appealed to the Supreme Court of the Territory where the judgment of the District Court was affirmed. He now appeals to this court upon the following assignment of errors: First, That adherents of the Mormon faith were unlawfully excluded from the jury; second, That the declarations of Miles were admitted as proof of his first marriage, and that the testimony of his alleged second wife was admitted to prove the marriage of Miles to wife number one. The conclusions of this court are:

First—It is evident from the examination of the juries on their voir dire, that they believed polygamy was ordained of God and that the practice of polygamy was obedience to the will of God. At common law this would have been ground for the principal challenge of jurors guilty of the same act. It needs no argument to show that a jury composed of men entertaining such a belief could not have been free from bias or prejudice on the trial for bigamy of a person who entertained the same belief, and whose offense consisted in the act of living in polygamy, but whether the evidence of this bias was sufficient or not, it was so found by triers and that was conclusive.

Second—That the District Court committed no error in admitting the declarations of Miles to prove his first marriage.

Third—That the court below did err in allowing Caroline Owens, the second wife, to give evidence against Miles touching his marriage with Emily Spencer, the first wife. The law of Utah declares that a husband shall not be a witness for or against his wife, or the wife for or against her husband. The marriage of Miles with Caroline Owens was charged in the indictment and admitted by him upon trial. The fact of his previous marriage with Emily Spencer was therefore the only issue in the case, and that was contested to the end of the trial. Until the fact of the marriage of Emily Spencer with Miles was established, Caroline Owens was *prima facie* his wife, and she could not be used as a witness. Nearly all authorities agree that as long as the fact of the first marriage is contested, the second wife cannot be admitted to prove it. It is made clear, by the record, that polygamous marriages are celebrated in Utah, so as to make proof of polygamy very difficult. They are conducted in secret, and the persons by whom they are solemnized are under such obligations to secrecy that it is almost impossible to extract facts from them when placed upon the witness stand. If both wives are excluded from testimony to the first marriage, as in the opinion of the court they should be under the existing rules of evidence, testimony sufficient to convict for polygamy in Utah is hardly attainable. This is not, however, a consideration which ought to influence this court. It must administer the law as it finds it. The remedy is with Congress, by enacting such change in the law of evidence in Utah, as to make both wives witnesses in an indictment for bigamy. For the error above indicated, the judgment of the Supreme Court of Utah is reversed, and the cause remanded for a new trial. Justice Woods delivered the opinion.

Dr. Julius A. Skelton, for eight years Consular-General of the City of Mexico, is in this city. He says that the American trade with Mexico has increased 60 per cent. As a direct result of the excursion of Chicago merchants to Mexico in 1879, the goods sold most are machinery and manufactured hardware of all kinds. So much preference has been shown for the latter class of American goods that European manufacturers have begun to counterfeit articles of English and German manufacture bearing American trade marks. The chief want felt heretofore was a want of fuel to work. Iron is about to be relieved by a discovery or extensive coal deposits on the San Juan and Del Rio River, and projected on a line with

the Mexican Central Railroad, not over 100 miles from the capital, which promises to supply an abundance of coal. The matter being brought to the attention of New York capitalists it is expected that a company will be formed for this development.

The President, yesterday, urged Senator Sherman to so arrange matters as to confirm the nominations.

The New York nominations were not discussed. This determination was reached after an exhaustive interchange of views add by a vote which is said to be substantially unanimous. The caucus discussed the expediency of allowing the deadlock to be broken from time to time by executive sessions for confirmations, but it was decided, at least for the present, that this course would be unadvisable.

Postmaster General James is assuming the responsibility of postal affairs, including Star routes, which have heretofore been controlled by Brady, Second Assistant Postmaster General. Now, if a contractor on a weekly route between two towns in the far west, 100 miles apart, wants to receive seven times as much pay for daily service, he must obtain authority from Postmaster General James. The consequent saving on Star routes for the present year is estimated at \$1,000,000.

NEW YORK, 4.—A deep hush fell upon the Plymouth Church, and every ear was strained when Beecher said he would relate an incident which he had never spoken of before. He remarked, playfully, that he would now tell it confidentially. There came to me, he said, a member of my own church, the mother of a young woman, who said her daughter had become fascinated with Roman worship and wanted to unite with that church. I said to her, "Tell your child to wait one year, until her own mind and judgment are settled, and if at the end of that time she shall find that she is drawn nearer to God and to heaven through that church, let her come and we will take her by the hand and carry her to the door." At the end of the year, she was still anxious to enter that church, and I sat down and wrote a letter to an honored Catholic pastor of this city, and said: This Lamb has found greener pastures in your fields than in mine. She joined the Catholic Church and is to-day a happy Christian girl in that communion. He added—I'd do it again if it were necessary, for when I spoke of the unity of all that believe in the Lord Jesus Christ, I meant it. I don't believe in eternal unity, but I believe in internal unity. In this connection, the preacher also said: I would rather ride in the most ragged, third-class car, that was ever put on the rail, if it would take me nearer home, than in the most luxurious palace car that ever was built, if it would take me further from home. There was a sensation and the utmost stillness when this story was told.

LONDON, 4.—Violent squalls prevailed yesterday and to-day in the vicinity of London. Many small boats filled with holiday pleasure seekers were capsized. Of the boats hired at Hammersmith on Sunday afternoon, eight have failed to return. It is thought that 16 lives are lost. Four bodies have already been washed ashore. There were many inquiries at Cheswick and Hammersmith, to-day, for the missing.

Constantinople, 4.—A strong shock of earthquake at Chio, in the island of that name, yesterday, destroyed many houses and seriously damaged nearly all left standing. Many inhabitants were killed and the remainder are encamped in the fields. Many neighboring villages were destroyed. During the panic which ensued, the Eastern Telegraph Co's. offices were pillaged. Shocks were also felt in the island of Syria and Smyrna, but no damage occurred.

Four fresh shocks of earthquake in Chio. The inhabitants are taking refuge on board steamers in the harbor. The governor and some officials have quitted the town.

Athens, 4.—A government dispatch has been received concerning the earthquake at Chio, which states that they were also felt at Tseeme, and that the number of persons killed and injured is estimated at 3,000. The shock was also felt at Caroston, Eubola and Tinos.

London, 4.—Dr. Bruce visited Lord Beaconsfield this morning, as well as Drs. Kidd and Guain. Subsequently the three physicians held a consultation and issued the following bulletin:

The doctors, upon being interviewed, stated the patient's condition is

as favorable as they could expect, but cold winds seriously interfered with his progress. Dr. Kidd will visit the patient at intervals during the day. There will be further consultation to-night. Dr. Kidd will sleep to-night at Lord Beaconsfield's residence to be ready in case of emergency.

CHICAGO, 3.—A sensational attempt at murder occurred this evening on West Madison street. For some time C. H. Atcherson, a salesman in A. W. Andrews & Co's furniture establishment, has suspected that his wife, Jennie Atcherson, was guilty of improper intimacy with Austin A. Burnham, book-keeper of the Chicago Club. All the parties occupied adjoining rooms in the same house, and Atcherson laid a trap to ascertain the truth of his suspicion, by boring a small hole through the ceiling of Burnham's room, and then pretended that he was going out of the city to-day, instead of which he took a friend and stationed himself between the roof and ceiling of Burnham's room. His watch was fully rewarded by the realization of his worst fears, for he saw his wife and Burnham in *flagrante delicto*, to which his friend was also a witness. He then fired through the ceiling at Burnham, the ball grazing the latter's thigh and passing through the bed into the floor. Mrs. Atcherson rushed to the window and fired five shots from a revolver, to attract the police. Atcherson was arrested and tells the whole story with great calmness.

Cheyenne, 4.—A Sidney, Neb., special to the *Leader* says: Reddy McDonald, head musician at a dance house and a noted cut-throat, was taken from the county jail at an early hour this morning by vigilantes and hanged to a tree in the court-house yard. McDonald was one of 16 desperadoes who were jailed on Friday. They had held the town in terror for several years, and the citizens resolved to clean them out. McDonald was discovered arranging plans for breaking jail, and hence the lynching.

Ex-Deputy Sheriff Ryan, who stabbed Attorney Michael, has not been captured. He will be lynched when caught. It is hinted that two more prisoners who have committed foul murders and escaped punishment, will be taken out and made into good men by lynching them.

San Francisco, 4.—Santa Barbara dispatch says: Mrs. Louisa Sargent, of Santa Rita, this county, started alone on horseback on Saturday to visit a neighbor. The horse was found later grazing by the roadside. Search was made any yesterday the body of Mrs. Sargent was found buried near a shepherd's camp. She had evidently been outraged and murdered, her head being crushed in. A Mexican shepherd has been arrested on suspicion, and is in danger of being lynched.

Thos. A. Edison, who removed his headquarters from Menlo Park to 65 Fifth Avenue, about six weeks ago, lighted up his new offices last night with his incandescent lamp. They are arranged as the gaslights were, upon chandeliers in the centre of the rooms, and upon brackets at the sides. The light is the same quality as that exhibited at Menlo Park, a steady, mellow, white light. Only the main floor was lighted with the electric lamp last evening. To-night about 60 lamps will be lighted.

CHICAGO, 5.—In spite of the prediction made by the Canadian prophet of a flood in Chicago to-day the weather is bright, sunny and cool with no prospects of storm, the snow banks are giving way. Ballots were deposited very lively this morning but there was considerable slackening later in the day. At 1.30 this afternoon the prospects was for only about two-thirds of a full vote. This is considered unfavorable for the republican candidates for city and town offices. Both sides seem confident and the vote will probably be close. Harrison, democratic candidate for mayor was elected to the mayoralty in '78 by about 5,000 majority. The city was carried by the republicans last November by 5,000 majority. So that no lesson can be drawn from those proceedings, the republicans claim to have made great gains among the Irish and the democrats claim large German accessions.

BRIEF TELEGRAMS.

Japan has applied for space in the World's Fair.

Gladstone proposes to raise the tax on foreign beer.

Italy will take part in the monetary conference.

The evacuation of Candahar will begin on the 10th.

The Guadalquivir River, Spain, is half a meter higher, causing anxiety.

The republican majority in the Michigan State ticket is about 20,000.

Kibalschitz the Russian bomb maker will be tried with the other prisoners.

At Clonmel, Ireland, Thos. Sexton, M. P., addressed 10,000 people yesterday.

The Spanish constitution and press laws will be applied to Cuba and Porto Rico.

The Pennsylvania Central railroad has subscribed \$125,000 to the World's Fair.

Ex-Congressman Price, of Iowa, will be nominated commissioner of Indian affairs.

Gladstone is among the frequent and anxious enquirers at Beaconsfield's residence.

Good gold prospects have been discovered in the vicinity of Wellington, N. S. W.

The African army contractors are mad over the sudden termination of the Transvaal war.

Three men were drowned, on Sunday, while duck-hunting near Brookville, Ontario.

A military cordon surrounds St. Petersburg. Nobody is allowed to enter or leave the city.

Beaconsfield's doctors maintain that there is improvement although much cause for anxiety.

The mayor of New York vetoed the bill permitting Edison's electric tubes to be laid in the city.

Thurman, Evarts and Howe sailed to-day to attend the international monetary conference in Paris.

A bomb exploded under the windows of the palace of the Duke Sotona, Madrid. No one hurt.

Spain has suffered greatly from rains and gales. There has been immense destruction of property.

The Spanish cabinet decided to apply the Spanish constitution and press laws to Cuba and Porto Rico.

Beaconsfield passed a tolerably quiet night; he retains nourishment and his strength is maintained.

The prosecution of the editor of *Freiheit* is a police and not a state prosecution for incitement to murder.

The census shows the debt of San Francisco, irrespective of the assets available for its payment, is \$4,219,500.

The *Inter-Ocean* says the democrats will vote solidly for the confirmation of the President's nominations.

Dr. Ganglabauer, Abbott of Benedictine Monastery, of Kremominster, Austria, is appointed Archbishop of Vienna.

It is thought the nominations of Robertson and Stanley Matthews will not be reached by the Senate until next week.

The Land League have removed their books and papers from their offices in anticipation of a descent by the authorities.

In the Italian chamber of deputies the minister of finance said the budget of 1881 showed a surplus of fifteen million lire.

The minister of Roumania to Russia and the commandant of the fortress died of cold, caught at the burial of the Czar.

The bill in the Tennessee legislature rejecting refunding the State debt, awaits the signature of the Governor to become law.

The New York board of aldermen request the board of health to analyze oleomargarine and determine whether it is injurious to health.

At noon yesterday Beaconsfield had a return of the spasm. He then had sleep and nourishment, and was not materially worse.

Extensive coalfields have been found in Mexico, on the line of the proposed Mexican Central Railroad, not over 100 miles from the capital.

An earthquake occurred in the Island of Zante yesterday. The vibrations continue to-day and are prolonged, but no damage is done.

Gladstone's speech last night was of over two hours duration, and de-

livered without any perceptible abatement of his characteristic energy.

Miss Hattie Deull, the Iowa teacher, is still about the same. She is gradually growing weaker bodily. At noon to-day she begins the 41st day of her fast.

Garfield is confident that Robertson will be confirmed, and that Conkling will learn that he (Garfield) is President, and not merely an executive clerk.

Senator Plumb says: Every one against this extra session. If Congress was called together we do not know what kind of a funding bill would give us.

A committee representing all nations of the Irish Nationalists in English Democrats, is forming in London, to agitate the condition release of Davitt.

Arthur started from New York Washington at 10 o'clock last night in order to preside in the Senate to-day, there being no temporary officer of that body.

The total vote polled in Cincinnati is about 43,000. Means, demagogue and *Gazette* candidate for mayor has 2,500 majority, all the others elected are republicans.

The death of Mrs. Bonhols, of broken, N. J., from eating pork and age, and the illness of her husband from the same cause, have caused depression in the pork trade.

The powers have finally agreed upon the proposal to be made Greece in regard to the frontier. Their views will be formally communicated to the Greek government.

There is no truth in the rumour that on Saturday Vice-President Arthur, Postmaster-General Janes, Governor Cornell and Senator Pugh held a political conference in New York.

The details of the riot at Bghadoyne on Saturday are: They attacked the police, who were armed to fire in self-defence. Two men were killed and 32 wounded, policeman was killed and several injured.

At a meeting at Clough, Co. Kilkenny, Dillon read a telegram from Pallasghadoyne about the riot there yesterday, stating the police had fired on the people without provocation. Two men were killed, three were wounded.

It is proposed to exercise a protectorate of Tunis, but to maintain and leave him all authority his Mussulmen subjects. The French statesman propose a tribunal under a French protectorate, with the adhesion of the Powers.

B. Y. ACADEMY.

SEMI-ANNUAL EXAMINATION.

PROVO CITY, Utah.

April 2, 1881.

Editor Deseret News:

The regular half-yearly examination took place at the Academy yesterday morning. Following is a brief report of the exercises: Meeting opened with singing by the Academy Choir and prayer by Angus Vance. Singing by the Sophical Choir, "Let ussing unto Lord." Then followed address by the teachers of the various departments. Miss Caddie Daniels in half of the primary branches, Nettie Southworth, musical department; Prof. M. H. Hardy for intermediate departments, J. Tanner for academic section "B." J. E. Talmage in half of academic section "A." Teacher mentioned one or more the students who excelled in particular branch in the department. Singing by primary scholars. Following this, the Principal, K. Maeser, read his quarterly report to the Executive Board, from which make a few extracts. Statistical departments are as follows:

Department.	Registered.	Left.
Normal,	21	
Academic "A,"	47	8
"B,"	40	6
Intermediate "A,"	71	14
"B,"	44	5
Primary "A,"	30	3
"B,"	20	1
Musical, Extra,	2	
7 Departments	275	35

Domestic organization has members as follows:
Provo 168; Pleasant Grove 1; American Fork 6; Alpine 1; Cottonwood 2; Payson 9; Big Water 1; Spanish Fork 3; Springdale 1.