

matter of the kind can be made—an issue in an exciting political campaign, and the democrats of the State were thoroughly poisoned in their minds in regard to the question to be decided at law. Under such conditions it is simply impossible that I can have a fair trial, or that I can expect any other result than that which informally attends a political libel suit growing out of an exciting campaign in this country. If I were unfair enough to desire a jury composed of my own partisans I could not have it. A properly constituted jury in Indiana would be composed of members of both political parties in about equal proportions. When I visited Indiana in October, I was repeatedly advised that six democrats could not be found in the State who, in a political suit, would give a verdict against their leading party organ. This did not necessarily convey an imputation upon their personal integrity as citizens, but simply that the blinding of party prejudices would utterly prevent an impartial consideration of the evidence submitted. I am perfectly able to fight the *Sentinel* newspaper in an Indiana court, but I would stand no chance whatever against the consolidated venom of the democratic party of that State. With these surroundings, and with this prospect, it is idle for me to go through the trouble and annoyance of a trial. The questions propounded by the bill of discovery have already been substantially and fully answered by me, and I am willing to leave my written statement and answers under oath to the judgment of the public. I do not choose to have the case indirectly concluded by a technicality, or suffered to die in silence. I prefer to make this frank and open statement of the reasons which induce me to believe the prosecution of the case would be utterly fruitless.

Very respectfully,

JAMES G. BLAINE.

SAN FRANCISCO, 17.—Rain which was so badly wanted, commenced falling last evening and has continued throughout the night. Reports from the interior show it has been general throughout the State.

PORTLAND, Ogn., 17.—A terrific snow storm is raging in the Willamette Valley. Railroad traffic is suspended.

Moses Solomon, commercial traveler for Bissinger & Co., of this city, was found dead in the snow near Albany. He perished from exposure.

FOREIGN.

BERLIN, 15.—A motion was carried in the Reichstag to-day increasing the salaries of two officials in the Chancellery. A motion was also made to create a second directorship in the ministry of foreign affairs, which met with considerable opposition. In the course of debate, Bismarck spoke in justification of its passage. He reminded the house that he was compelled, in 1877, to ask to be relieved of his functions because of overwork and ill health. He said he would only be able to continue in office by a law providing him with a substitute. If the house refused to grant the means with which to provide a substitute, with suitable compensation, he must decline to be responsible for the foreign policy. When he declared on his oath that the new post was necessary, the refusal of the house to establish it was a virtual declaration that he was either ignorant or incapable. "After I have sacrificed my health and my strength," he said, "in the service of the Empire and the Fatherland, don't refuse me what is necessary to the best interests of the service." Continuing his speech, he severely rebuked the House for seeking to prevent him from continuing his policy. He said, the threatened action of the House would make mobilization unnecessary, even after the millions that had been spent thereon. He gave his official assurance that his present staff was inadequate, adding that a refusal to comply with his request would only embitter his life.

Vollman insinuated that official oaths were worthless, as already proven in the law courts.

This statement excited a great uproar, and protests and calls for order were made.

Bismarck protested against such treatment, and claimed that he should be treated with the decency prevailing in educated society.

The motion to create a second directorship was then put to a vote and lost—119 ayes to 141 nays.

BERLIN, 15.—The absorbing interest in the proceedings of the Reichstag to-day prevented the progress of the Congo conference. Count Von Hatzfeldt, the German delegate, was absent on account of illness. It is uncertain whether the conference or the committee meets on Tuesday. The proposed scheme for a railway from Viva to Stanley pool is regarded as shelved. Sir Edward Malet finds it impossible for him to resubmit his proposal to restrict the importation of spirits into the Congo country, and will rest content with merely recording the proposal for a protocol.

PARIS, 15.—The Hovas News Agency publishes a letter from a private soldier, stating that General Negrier, in defeating 10,000 Chinese regulars, handed over 200 prisoners to the best French riflemen for targets in ball practice, and that all of them were killed. The newspapers demand a prompt and categorical denial of the statement.

MADRID, 15.—The *Imparcial* says: The negotiations of England and Spain for a commercial treaty will soon be terminated. Spanish wines obtain a

reduction to 30 and perhaps 32 degrees. England gets most favored nation treatment in Spain, but not in the Spanish colonies. The British ambassador in Madrid has assured the government that Great Britain would do nothing to influence America in regard to the treaty of commerce. If British influence caused the defeat of the American treaty now under consideration, he said, the English protocol would share the same fate.

LEIPZIG, 16.—The names of anarchists besides Reinsdorf and Bachmann, whose trial began yesterday for attempting to cause an explosion at the unveiling of the Niederwald monument to Germany are Knechten, Rupert Holzhauser, Sockngen, Rheinbach and Toellner. The trials will last a week. Four counsel were employed for the defense. Rupsch confessed that Reinsdorf ordered him to fire the mine. This consisted of a large stone jar and glass bottle filled with dynamite furnished with percussion caps. To these a fuse was attached and the whole placed in a drain which crosses the road about ten minutes walk from the Niederwald. He was ordered to fire the train when the Emperor William's carriage was fifty feet distant from the drain by applying a lighted cigar to the end of the fuse placed at the side of the roadway. Rupsch asserts he was unwilling to effect the explosion, only applied an unlighted cigar. Knechten upbraided Rupsch for his failure and the latter gave as an explanation of the failure that the fuse was wet and failed to light. Knechten then told Rupsch to place a new tinder fuse and exploded the mine when the Emperor was returning. Rupsch returned to the drain and fastened fresh tinder to the fuse, but cut the fuse two metres from the charge. When the Emperor returned to the proper spot Rupsch applied the burning cigar to the fuse and walked away. Knechten was very angry at the second failure, and when the road was clear of people he removed the dynamite to the Grand Pavillion at Rudesheim, where a concert was in progress. Knechten thereupon sneaked away, Rupsch exploded the dynamite ten paces from the pavillion and ran away. He declares he only wished to see the unveiling of the monument without expense, and that he intended from the first to frustrate the murderous plan.

SUGDEN VS. SENIOR.

RULING OF JUDGE ZANE.

WHEN A FIRST WIFE DIES, A PLURAL WIFE DOES NOT BECOME THE LEGAL WIFE.

In the case of Sugden vs. Senior in the Third District Court, Judge Zane on Monday, Dec. 15, made the following decision:

AMY SUGDEN, et al.

vs.

ELIZA SENIOR.

This is an appeal from the Probate Court of Salt Lake County. By agreement 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 lawful wife living, with her consent married Eliza Senior, according 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 cohabited with both for several months, when his lawful wife died, and afterwards with the other to the 15th day of December, 1873, when he died intestate, leaving the plaintiff and Edward Senior, Jr., his children by his lawful wife, and Edwina Senior Jr., and Fredrick J. Senior, children of a son, the issue of the first marriage; that the surviving son also died in 1880, unmarried, and without lineal descendants; he also left Eliza Senior, his plural wife; the intestate died seized of lot No. 1, in block 58, in plat "C," upon which he at his death resided with his plural wife and his two grandsons who were minors, but who are now of age and married; he also left other property which is not in dispute.

On these facts plaintiff's counsel claim that she inherited one-half of the real estate described absolutely, the debts having been paid; and that the other half passed to the grandchildren. The defendant, Eliza Senior, claims that she was the wife of the intestate at the time of his death and as such was entitled to share in his property.

That the formal marriage to the defendant was absolutely void is an assertion which needs neither argument or the citation of authority in its support. The parties to it knew that its celebration was a violation of law. When a man and woman enter into a formal marriage in good faith not knowing of an impediment which renders it void, and live together as husband and wife after the impediment is removed, the law will indulge the presumption of marriage. The intention to contract a lawful marriage in the first instance appearing, it is reasonable to presume that such intention continues after the obstruction ceases and such intention with the conduct indicating marriage is sufficient evidence from which to infer that it has actually taken place. But when the impediment is known to the parties, when it is formally consummated, cohabitation after its removal authorizes no such inference. This view is supported by Bishop on Marriage and Divorce, Vol. 1, sections 508 and 509; other authorities might also be cited.

Counsel for defendant insist that the laws of Mexico, or the civil law, is otherwise, and that upon the acquisition of California, of which Utah was a part, from Mexico, the laws of that country continued in force in the ceded Territory until expressly altered, and that such change had not been made in this Territory, at the death of the intestate.

When territory is acquired upon which organized society exists, in which the rights and duties of the people are defined and regulated by laws, such laws continue till altered by competent authority. But when territory is uninhabited at the time it is acquired and people come in from the country receiving the acquisition, they continue their usages and customs and follow the lines and rules of conduct with which they are familiar—they are not required to conform to those of which they know nothing and which in fact have no actual existence there. It would be unreasonable to require people under such circumstances, to comprehend definitions of rights and duties and remedial forms and methods to which they are strangers and which may be preserved in a foreign language, which they cannot understand. At the time of its acquisition by the United States, Utah was inhabited by Indians and a few thousand Mormon settlers, who had just come in from the various States where the common law existed.

In Section 9 of an act of Congress, establishing a Territorial government for Utah, approved September 9th, 1850, it is provided that the Supreme and District Courts respectively shall possess chancery as well as common law jurisdiction. Jurisdiction is the power to inquire into the fact, to interpret, construe and apply the law. This act declares the existence of the common law, so far as it relates to jurisdiction, and appears to be a recognition of its existence here at that time. The Court is of the opinion that the common law has existed in this Territory since its organization. It is also claimed that the defendant has a homestead estate in the property in dispute, by virtue of section 76 Compiled laws of Utah, 1874. That section is as follows: "The homestead, occupied by the wife, or any portion of the family of the deceased at the time of his death, shall in all cases be held free to the use of the wife and family of the deceased, and shall not be liable to any claim or claims against said estate, and if there be other property remaining after the liabilities of the estate are liquidated, then it shall, in the absence of other arrangements by will, descend in equal shares to his children or their heirs, one share to such heirs through the mother of such children, if she shall survive him during her natural life or during her widowhood, or if he has any more than one wife, who either died or survived in lawful wedlock, it shall be equally divided between the living and the heirs of those who are dead, such heirs taking by right of representation." In this section the persons having the right of homestead are described as wife and family. The term wife must be held to mean lawful wife, and she could not be a lawful widow without first being a lawful wife; the marriage could afford her no valid right as widow if it was void to her as wife. In designating the persons who inherit property other than the homestead, only the children and their heirs and the mother of his children are mentioned. The intention, as expressed in this section, only include the widow and the children of the intestate and their heirs. The term "family" as used in the statute exempting property from sale on execution is confined in terms to the section wherein it occurs, and throws no light upon the term as used in the section 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 association and cohabitation with him under the guise of marriage, the law characterizes 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.

PRETTY WOMEN.

Ladies who would retain freshness and vivacity. Don't fail to try "Wells' Health Renewer."

PILES! PILES!! PILES!!!

Sure cure for Blind, Bleeding and Itching Piles. One box has cured the worst cases of 20 years' standing. No one need suffer five minutes after using William's Indian Pile Ointment. Its absorbent tumors, allays itching, acts as poultice, gives instant relief. Prepared only for Piles, itching of the private parts, nothing else. Sold by druggists and mailed on receipt of price, 50c. and \$1.00.

For sale by Z. C. M. I. Drug Dept. FRAZIER MEDICINE CO., Prop's, Cleveland, Ohio.

CATARRH OF THE BLADDER.

Stinging, irritation, inflammation, all Kidney and Urinary Complaints, cured by "Buchu-Paiba" \$1.

"ROUGH ON PAIN" PLASTER.

Porous and strengthening, improved, the best for backache, pains in chest or side, rheumatism, neuralgia. 25c. Druggists or mail.

TUTT'S PILLS

TORPID BOWELS and DISORDERED LIVER.

From these sources arise three-fourths of the diseases of the human race. These symptoms indicate their existence: Loss of Appetite, Bowels constive, Sick Headache, fullness after eating, aversion to exertion of body or mind, Erection of food, irritability of temper, Low spirits, a feeling of having neglected some duty, Dizziness, Fluttering at the Heart, Dots before the eyes, highly colored Urine, CONSTIPATION, and demand the use of a remedy that acts directly on the Liver. As a Liver medicine TUTT'S PILLS have no equal. Their action on the Kidneys and Skin is also prompt; removing all impurities through these three "scavengers of the system," producing appetite, sound digestion, regular stools, a clear skin and a vigorous body. TUTT'S PILLS cause no nausea or griping nor interfere with daily work, and are a perfect ANTIDOTE to MALARIA.

TUTT'S HAIR DYE.

GRAY HAIR OR WHISKERS changed instantly to a GLOSSY BLACK by a single application of this DYE. Sold by Druggists, or sent by express on receipt of \$1. Sold everywhere. Office, 44 Murray St., N. Y.

ROAN MARE.

WEDNESDAY EVENING, OCTOBER 22nd, a roan MARE, a little white on left hind foot, branded with a cross (Church brand) on left shoulder and vented on thigh, indistinct J on left ribs, and on left thigh a brand resembling JB combined. When last seen she had a tying strap on neck with halter strap attached, shoes on. Give information at this office and be rewarded. sw tf THOS. E. TAYLOR.

THE DINGEE & CONARD CO'S BEAUTIFUL EVER-BLOOMING ROSES

Our Great Specialty is growing and distributing ROSES—we deliver strong Pot Plants, suitable for immediate bloom, safely by mail at all Post Offices. 5 Splendid Varieties, your choice, all labeled, for \$1; 12 for \$2; 35 for \$5; 100 for \$12. Also OTHER VARIETIES 2, 3, & 10 FOR \$1 according to value. Send for our New Guide, 76 pp elegantly illus. and choose from over 500 finest sorts Address, THE DINGEE & CONARD CO., Rose Growers, West Grove, Chester Co., Pa.

NOTICE TO CREDITORS.

Estate of Andrew Jackson Allen, deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned, Executor of the last Will of Andrew Jackson Allen, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within ten months after the first publication of this notice to the said William C. Allen, at his residence at Draper City, Salt Lake County, in the County of Salt Lake.

Dated at Salt Lake City, November 5, 1884. WILLIAM C. ALLEN, Executor of the last Will of Andrew Jackson Allen, deceased.

CHICAGO SCALE CO.

151 S. Jefferson St., Chicago. 2 Ton Wagon Scale, \$40. 3 Ton, \$50. 4 Ton \$60. Beam Box included 240 lb. Farmer's Scale, \$5. "Little Detective" 4 oz. to 25 lb., \$3. FORGES, TOOLS, Etc. Best Forge Made for Light Work, \$10 40lb. Anvil and Kit of Tools, \$19 Farmers save time and money doing odd jobs. Blowers, Anvils, Vices and other articles. Lists sent.

KENNEDY'S

EAST INDIA Bitters. REGISTERED. TRADE MARK. 4 FAMILY TONIC FOR DYSPEPSIA AND BEVERAGE. RHEUMATISM.

BITTERS

COMPOUNDED WITH MINERAL WATER. BEST REMEDY IN THE WORLD!

Rheumatism, Dyspepsia, Constipation, Sedentary Diseases, Biliousness, Kidney Complaint, Lung Diseases, Impure Blood.

ILER & CO. PROPRIETORS AND SOLE MANUFACTURERS, OMAHA, NEB.

SOLD BY DRUGGISTS, GROCERS AND WINE MERCHANTS.

PARKER'S HAIR BALSAM

The best and most economical hair dressing, and made from materials that are beneficial to the hair and scalp. Parker's Hair Balsam is highly esteemed everywhere for its excellence and superior cleanliness.

It never fails to restore the Youthful Color and lustre to gray or faded hair. Is elegantly perfumed and is warranted to remove dandruff and itching of the scalp, & prevent falling of the hair. 50c. and \$1 sizes, at dealers in drugs.

PARKER'S GINGER TONIC

A Superlative Health and Strength Restorer.

If you are a mechanic or farmer, worn out with overwork, or a mother, run down by family or household duties try PARKER'S GINGER TONIC.

If you are a lawyer, minister or business man exhausted by mental strain or anxious cares, do not take intoxicating stimulants, but use Parker's Ginger Tonic.

If you have Consumption, Dyspepsia, Rheumatism, Kidney or Urinary Complaints, or if you are troubled with any disorder of the lungs, stomach, bowels, blood or nerves, you can be cured by PARKER'S GINGER TONIC. It is the Greatest Blood Purifier and the Best and Surest Cough Cure Ever Used.

If you are wasting away from age, dissipation or any disease or weakness and require a stimulant take GINGER TONIC at once; it will invigorate and build you up from the first dose but will never intoxicate. It has saved hundreds of lives; it may save yours.

W. S. COX & CO., 153 William St., New York. 50c. and one dollar sizes, at all dealers in medicines.

GREAT SAVING BUYING DOLLAR SIZE.

W. S. COX & CO., 153 William St., New York. 50c. and one dollar sizes, at all dealers in medicines.

FLORESTON

Its rich and lasting fragrance has made this delightful perfume exceedingly popular. There is nothing like it. Insist upon having FLORESTON COLOGNE and look for signature of

Hiscox & Co.

on every bottle. Ask your dealer in perfume or supply you 25 and 75c sizes. LARGE SAVING BUYING DOLLAR SIZE.

COLOGNE.

THE LIVER AND ITS FUNCTIONS.

It has become a well established fact that the larger portion of diseases to which the human family is subject arise in the first place from some derangement of the Liver. This organ is not only the largest, but at the same time one of the most important. The venous blood, on its return to the heart, passes through this organ, and in its passage the impurities, as also the secretions which are necessary for digestion as well as for a cathartic to assist in the removal of waste material &c. are eliminated. From this it is easily seen that the Liver is like a filter, and when this occurs it is impossible for it to properly fulfill its office of removing all objectionable matter from the blood, but allows it to pass through, carrying with it the poisons of which it should have been relieved.

DR. B. F. SHERMAN'S PRICKLY ASH BITTERS.

The result of years of study, experiment and medical research and practice of Dr. B. F. SHERMAN, its originator, and its success where ever used is sufficient guarantee for its merit.

Drastic Purgatives and that class of remedies can have but one effect—that is by their violent action to derange and weaken the system.

Prickly Ash Bitters acts directly on the Liver, Kidneys, Stomach, & Bowels, in a mild yet effective manner, and is as pleasant to the taste as any cordial, and is as essential for children as adults.

PRICKLY ASH BITTERS

CURES ALL DISEASES OF THE LIVER, KIDNEYS, STOMACH AND BOWELS.

FOR SALE BY ALL DRUGGISTS

PRICE 1 DOLLAR.

PRICKLY ASH BITTERS is a medicine of rare merit, and not an intoxicating beverage, and being purely vegetable in its composition can be used at all times with beneficial results. It is not claimed as a cure-all, but for derangements of the organs mentioned, it is a specific and as a BLOOD PURIFIER ranks above all other preparations. Ask your druggist for it, and give it a fair trial. If he has none on hand, ask that it be ordered for you.

PRICKLY ASH BITTERS CO., SOLE PROPRIETORS, ST. LOUIS AND KANSAS CITY, MO.

"THE BEST IS CHEAPEST."

ENGINES, THRESHERS, SAW-MILLS, Horse Powers, Clover Hullers

(Suited to all sections.) Write for FREE ILLUS. Pamphlet and Prices to The Autman & Taylor Co., Mansfield, Ohio.

PATENTS

MUNN & CO., of the SCIENTIFIC AMERICAN, continue to act as Solicitors for Patents, Caveats, Trade Marks, Copyrights, for the United States, Canada, England, France, Germany, etc. Hand Book about Patents sent free. Thirty-seven years' experience.

Patents obtained through MUNN & CO. are noticed in the SCIENTIFIC AMERICAN, the largest, best, and most widely circulated scientific paper, \$3.20 a year. Weekly. Splendid engravings and interesting information. Specimen copy of the Scientific American sent free. Address MUNN & CO., SCIENTIFIC AMERICAN Office, 211 Broadway, New York.