

one case. Section 4 of the act known as the Poland Bill provides the method of selecting jurors. [Read part of the section.] Continuing he said: "There is nothing said as to whether the names of these persons shall be placed back in the box or not. There seem to be reasons why they should be placed back."

One object, I presume in providing this method is to get rid of what is known in some places as "professional jurors;" and probably another reason is, and particularly would it be a reason here, where jurors serve for the whole term, both grand and petit. In all the courts, as far as I know, the petit jurors in many of the States serve for one or two weeks only; but here I understand they serve for the whole term. It is a great burden upon a man to be required to serve, at the times fixed, during the whole term; and in stating that their names should not be placed back into the box it refers to those who have served during the term. One reason for this probably was to equalize the burden upon eligible persons as near as possible. If that is so it would be unequal law to say that those who serve during the whole term were placed upon the footing as those whose names were simply drawn and did not serve. The reasons for the one case do not hold good, and the statute here says nothing about those who were drawn out to serve in one case, whether their names should be placed back into the box or not. It is true that if enough were not drawn out at first, the regular panel, I presume, could be filled up under this provision. But Congress seemed to have had in view the fact that the judge should order enough drawn out to constitute the regular panel jury, and these were drawn out for special duty. Nothing is said as to whether names should be placed back into the box or not. I am informed the District Judge and the brethren of the other districts have construed this law to mean the names drawn out in the regular method, and not to those drawn during the term for special service in one case. If that is the proper construction of this law, then to construe this statute of the Territory of Utah as applying to a juror whose name is simply drawn out to serve in one case, to hold it to apply to that would be to hold that the Legislature intended, notwithstanding the intention of Congress that where a juror's name was drawn out to serve in one case, and his name was put back into the box, that he was not a competent juror. I am disposed to hold that the construction which has been given to this section 4 of the Poland law is a proper construction, that where they are drawn for special duty to serve simply in one case that their names may again be put back into the box and be drawn to serve as regular jurors, notwithstanding they may have served in one case. That being so, I am disposed to construe this statute of the Territory with reference to the act of Congress and to hold that the intention of the Territorial Legislature was to conform to the act of Congress. And in speaking of grand and petit jurors, they intended jurors for the term, grand jurors certainly, but coupled with petit jurors. The grand jurors must be for the term; they could not serve on one special case; and the petit juror is coupled with it and that without qualification, and that must mean to be jurors for the term.

This view that I have taken on this motion disposes of all the questions that I deem it necessary now to direct attention to particularly. The motion is therefore set aside.

An exception was taken to the ruling by counsel for the defendant.

#### DEMORALIZATION AMONG THE CRUSADERS.

The "Liberal" Convention of Thursday was a mournful affair. The sadness of the occasion was intensified by the conspicuous absence of most of the more respectable members of the party. The leading inference to be drawn from this feature of the gathering is that the more sensible have sickened of the hollow hypocrisy of the conspirators against popular rule and given the circular combination the cold shoulder, which is almost if not quite as demoralizing as a positive rebellion.

Mr. J. C. Morrill's remarks strengthened this supposition. He unqualifiedly stated, in effect, that in this city there were five hundred non-"Mormons" who did not vote on the "Liberal" side of the fence because that party menaced the interests of the great majority of the people, from whom they derive their business support. We have held all along that the unscrupulous attitude of the anti-"Mormon" crusaders was a constant drawback and detriment to business interests, but we hardly hoped that even so conspicuous a fact as that would be admitted from that side. But one by one are the flimsy coverings of sophistry being torn from the anti-"Mormon" scheme, revealing its true inwardness, and this exposure comes occasionally from some one connected with it more straightforward than the balance.

Although Mr. Morrill may be partly right in relation to the motive that inspires the conservative and consistent non-"Mormons" who decline to sup-

port the anti-republican schemers who are seeking to establish an autocracy in Utah for the purpose of robbing the "Mormons" against whom they have manufactured a popular prejudice by falsehood, there are doubtless other causes leading to this situation. We have reason to believe that those who refuse to support the conspiracy are influenced by ineffable disgust at the "Liberal" methods resorted to for the attainment of unjustifiable designs, as well as their objections to the objects themselves. Not only is this our decided opinion, but we have also good reason for believing that were it not for the reluctance on the part of many respectable non-"Mormons" in the community, who are on the most friendly terms with the majority, to exposing themselves to the brutal and unsparing onslaughts of the anti-"Mormon" crusaders, they would come out in open opposition to their attacks against a loyal, peaceful and law-abiding people.

As is frequently the case with an organization which is tumbling to pieces with internal rottenness, an effort was made yesterday to change the name of the so-called party from "Liberal" to "American." But the majority had penetration enough to see that the concern wouldn't smell any sweeter under a different cognomen than it does now. Neither the existing name nor the suggested new one is appropriate, yet a change would be consistent, and we offer one that harmonizes precisely with the objects and operations of the crusaders. Although our good offices in this regard will probably not be accepted, we suggest the consistency of dubbing the combination with the unique and altogether deserved title of the "anti-American party of Utah."

When it is taken into consideration that the "Liberals" in yesterday's funeral convention, in their platform, renewed their appeal to Congress to take the government of this Territory out of the hands of the people, and establish an anti-Republican form of rule under a legislative commission appointed by the President of the United States and confirmed by the Senate, the appropriateness of the new name offered by us will be seen at a glance. A government of that description is un-republican and un-American, and as its establishment appears to be the chief aim of the rule or ruin conspirators, why shouldn't they have a cognomen in consonance with their pet object?

#### NOT TO BE LED BY THE NOSE ANY LONGER.

DOUBTLESS one of the causes to which the demoralization in the ranks of the "Liberal" or "anti-American" party in Utah, mentioned by one of the speakers at their convention on Thursday, is attributable is that the more independent, sensible and conservative among them refuse to be longer led by the nose by a handful of plotters. They doubtless have concluded that they can no longer afford to throw away their manhood and tamely submit to manipulation by a small crowd of schemers, as has been the case for years.

If anybody has any doubts in relation to the really limited array of the head and front of the anti-American scheme, to clear them away he has but to examine all the public doings of the mischief-makers for years back. He will find not only the same old rhodomontade of anti-"Mormon" and anti-Republican vituperation, but precisely the same individuals indulging in it, and conducting the show while the balance are treated like so many cabbage heads, for the most part made use of merely as contributors to a fund for campaign or other purposes.

It would save the local papers some type-setting if the following names were kept standing: J. R. McBride, O. J. Hollister, M. M. Bane, Nathan Kimball, V. M. C. Silva, J. F. Bradley and William Showell. It might be as well to vary this order after the manner of the teamster who was annoyed at the sameness of his diet of bread and bacon and being unable to procure a further alteration, changed it to bacon and bread. Mr. Showell's name might be placed occasionally at the head of the list, for the sake of tone, and with a corresponding reversal throughout.

And who are the individuals who put the tweezers on the noses of more sensible and scrupulous members of the anti-republican party of Utah? With few exceptions they are either Federal officials or ex-Federal officials. No wonder that at least five hundred non-"Mormons" of this city decline to vote with those who conspire against the liberties of the majority.

As for Mr. Ransford Smith, poor man! he is but the dummy of the anti-American clique, and is probably panting for notoriety, and thinks he sees his way clear to a little inexpensive fame. But it is of a sorry character, seeing that he must of necessity be the pantaloons of the small party who are using him as a tool; the mere effigy of an attenuated shadow.

#### THE "LIBERAL" PLATFORM.

The Liberals of Utah, in convention assembled, announce as their principles—opposition to ecclesiastical rule in secular affairs, as it exists in Utah, and to the continued practice and spread of polygamy.

Both of these practices and the theories on which they are based, are alien, hostile and menacing to American institutions. One of them has long been prescribed by law, but the law is successfully nullified.

In view of this fact, we four years ago called upon Congress to take the government of this Territory into its own hands, through a Legislative Commission, to be appointed by the President and confirmed by the Senate of the United States. The answer was the Edmunds law, excluding actual polygamists from voting or holding office.

The Mormon propaganda met this by renewed pressure to extend the practice of polygamy, and it is our conviction that it is now being extended more rapidly than at any former period. A session of the Utah Legislature has been held under the operation of the Edmunds law without any response whatever to its requirements. That Legislature was composed of monogamists in practice, but who were at the same time polygamists in theory, as their work shows.

The treasonable attitude of the Mormon leaders was declared by George Q. Cannon to a great assemblage in the Mormon Tabernacle on Sunday, Oct. 5th, 1884, in these words, namely: "Today we are confronted by the fact that the United States have pitted themselves, in their governmental capacity, against us, exactly as we have been taught to expect. Shall we now falter or give way, or become weak in the knees, or tremble in the heart when we see this attitude so clearly defined? God forbid."

We now call upon the Government to accept this challenge, by substituting the Legislative Commission before asked for, for the existing polygamous church government in this Territory. The issue, it will be seen, is understood and accepted by the polygamous propaganda; and for the Government to allow the further denial of its authority and defiance of its power with impunity will throw open the door to the direct evils in the future."

We have published the Declaration of Principles of the People's Party; and now present to our readers the so-called "Platform" of the so-called "Liberal Party" of Utah. How much claim the thing has to the title of a "platform," and how much its framers deserve the title of "Liberals," a perusal of the document will settle at once. Instead of being a platform of principles it is a mere bundle of denunciations and guesses; and its framers stand self-exposed as the most illiberal and un-American of schemers, combining and conspiring against the rights, privileges and liberties of the great body of the citizens of Utah.

"Polygamy," that hackneyed and silly cry of a dwindling and nearly extinct clique, is once more sounded abroad. They guess at an alleged condition of affairs in Utah, about which they have no reliable information. They express their "conviction that it is being extended more rapidly than at any previous period." This is mere opinion, unsupported by anything to give it weight, but it is inserted in the "platform" for the purpose of prejudicing the public mind at a distance. The statement that the Legislature elected under the Edmunds law was "held without any response whatever to its requirement," is so gross a misstatement of the fact that it cannot be designated by mild language. It is, simply and squarely, a wilful lie. The only thing required of the late Legislature by the Edmunds law was the passage of a registration and election Act. The law was complied with, fully and completely. That the enactment did not suit the "Liberal" clique which manipulates the Executive of this Territory, and that the bill was not signed by the Governor, is no proof that the Legislature did not respond to the requirements of the law, but only shows that the clique and the Executive conspired to prevent the Legislature from accomplishing what its members in good faith attempted. If those legislators were monogamists in practice, that was all that the law required on that matter; their theories were beyond the purview of the law and may not be legally called in question. And the effort of the "Liberals" to cast obloquy upon them for their theory or belief apart from overt acts, proves that these "Liberals" are really as we have said, the most illiberal of political schemers.

The "ecclesiastical rule in secular affairs in Utah" mentioned in the "platform," is so undistinguishable and indefinable that these "Liberals" do not and cannot say what it is. They admit, however, that it is not unlawful, and yet they denounce it as "alien, hostile and menacing to American institutions." The truth is, that the majority of the people of Utah are as free as any people on the earth, and that if they follow advice from others they do so because they have confidence in the wisdom and experience of their advisers, and act upon such advice of their own free will and choice; and when they go to the polls they are protected in that choice by an absolutely secret ballot. But these "Liberals" desire to deprive the people of the right to follow any one's advice but theirs. And because the people will not vote as they dictate, these "Liberal" prevaricators call upon the Government to deprive the people of all voting power whatever. That is the substance of their "platform." It is all there is of it.

Take that away and there is nothing left of any consequence or value. We will whisper in their ears a truth for their consideration: You cannot legislate against an influence.

The attempt to construe into treason remarks reported to have been made by a prominent "Mormon," is very puerile and nonsensical. Is there any one in Utah who is engaged in taking up arms against the United States or in giving aid and countenance to their enemies? If not, there is no "treason" here; that offence is defined in the Constitution, and the most "Liberal" construction of that definition will not answer the purpose of the framers of the thing called a "Liberal Platform."

As we have shown, the nub of the whole thing is in the last paragraph. Like a venomous wasp it carries its sting in its tail. It calls for a Legislative Commission. That is, these fellows who are such pretended champions of "American institutions" want something established in Utah that is the very antipodes of "American institutions." Every shred and thread of republican government they wish removed from Utah, and a whole-cloth oligarchy set up in the place thereof. Is not this extremely "Liberal?" No vote of the people. No popular voice in local affairs. Local self-government annihilated. The citizens reduced to serfdom. The great majority robbed of every political right and privilege, because they will not become subservient to the dicta of a small, insignificant and plotting minority! Oh! what a platform! Oh! what a set of addle-heads must have framed it! Who in the world fixed it up? Why it seems that one O. J. Hollister presented it at the so-called "Liberal" convention. That accounts for it fully; no further explanation is needed. Lay it away in its little grave with its defunct predecessors.

#### DRY CANYON WATER QUESTION.

WE publish in another column an analysis of Dry Canyon water, a supply from which is being developed for the benefit of the people on the northeast bench land. Prof. Kingsbury, who made the analysis, is a scientist of excellent ability, and no chemist could be more careful than he in taking all necessary precautions to assure absolute correctness. He took the trouble to visit Dry Canyon personally and obtain the water he subjected to chemical manipulation himself. Besides, the Deseret University, with the faculty of which Prof. Kingsbury is associated, has good facilities for making chemical tests. In fact that ably conducted institution is in a high degree of efficiency in all of its departments. All these points considered the analysis may be taken as thoroughly reliable.

Since the paper was placed in our hands we have submitted it to Dr. H. J. Richards with a request that he express an opinion as to whether, from the showing made by Prof. Kingsbury he would consider the Dry Canyon water injurious to health. After examining the statement he gave it as his decided view that no injury would result from the use of the water, and added that he would not be in the least afraid to risk it himself.

These facts completely explode the idea that some have endeavored to disseminate, to the effect that Dry Canyon water is little better than so much poison; and the people can use it for culinary and drinking purposes without any fear of an evil result. With Emigration Creek water, however, it is different, especially at this time of the year when sheep herds are numerous in the neighborhood of the stream, thus introducing into it organic matter, which is always hurtful to the system when taken into it in a decayed condition.

Developments in Dry Canyon are still in progress and the prospects are good for a more or less full supply of water from that source next season. And it has been, by actual measurement, ascertained that the lowest rate at which it has emptied from the flume into the bench ditch this fall is 120,000 gallons daily. It would be well for the city to shut off any supply from Emigration Creek at this time of the year, seeing that it is liable to be fouled before reaching the ditch, and let the people have the Dry Canyon water only, being of a character to be used without appreciable injury to health.

As the subject of the quality of Dry Canyon water is of general interest, the public are indebted to Prof. Kingsbury and the Deseret University for the excellent analysis we are enabled, through their courtesy, to present to our readers.

#### TOOK OUT FOR HIM.

Brother Robert Smith informs us that he will make a trip south after Conference, with his improved and enlarged paintings of the Seven Wonders, Pyramids of Egypt, Great Events in History, Last Judgment, etc. He has also added the Dream of Nebuchadnezzar, the Image Described by Daniel the Prophet, giving the history of the world since the sixth century before Christ to the winding up scene. He describes every toe and the little stone striking the image on the toes is shown and explained. Turn out and see him; he has a good and interesting show for young and old, good music and lots of fun besides to amuse the young folks. We predict a fine trip for Brother Smith. ds&wle

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**THE LIVER AND ITS FUNCTIONS.**

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