EVENING NEWS. Published Daily, Sundays Excepted, AT FOUR O'CLOCK.

PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY CHARLES W. PENROSE, EDITOR. April 21, 1885 Tuesday, 1 THE DECISION IN THE CLAW

SON CASE.

THE decision of the U.S. Supreme the body from which the flat issued, we light than as a further abridgment of Acting Governor, Hon, Arthur L. upon the principles upon which this prieve, in the face of a strong popular should be performed within..... the privileges of the citizen, an inroad Thomas, finally laterposed by a re-Republic was reared and has been thus sentiment, with which quite a days,

tar perpetuated. Taking the synopsis of the decision, which appears in our telegraph dis-patches, as giving a true conception of patches, as giving a true conception of the decision of far perpetuated. which appears in our telegraph dis- failed to perform a direct duty he patches, as giving a true conception of proved equal to the occasion. We its character, the right of the lower commended his attitude at the time, for the time during which said officers court to issue to the United States and now comes the Supreme Court de-Marshal of the Territory an open ve- cision, and fully sustains it. Had Mr. nire to summon jurors from the body | Thomas not taken the stand he did, in of the judicial district, when the list of favor of law, and had Hopt been ex-200 jurors in the box is exhrusted he- ecuted, the "judicial murder" would fore the panel is completed, is sus- have been an accomplished fact. Nothwithstanding this the ruling Lained

This ruling defeats the object of the Poland law, which prescribes the another lease of life will be number of jurors within which the panel was to be made up. It also opens the way for the packing of jaries with- | there should have been in a clear case out restriction. The object of of murder such egregious blundering the Poland act was to secure to the "Mormon" members of the community-overwhelmingly in the majority - a shadow of proportionate of his horrible crime. But when men opportunity to perform jury service, and preserve their rights under the law. | mands that it shall be strictly in ac The effect of this ruling is to wipe even | cordance with the forms of law. that limited privilege out of existence. A careful perusal of the synopsis of the decision will convince the lutelli vent reader that while a "Mormon" is by it partially excluded from jury service on trial juries, he is wholly debarred from grand juries. In the former he may serve on trials where the alleged offense is not polygamy or unlawful cohabitation, but is excluded from grand juries liable to find indictments in such cases. It will doubtiess be held that any points decided are the following: grand many is liable to consider business of that character, as it-can-

not be determined beforehand what class of cases may arise while the body is in session. Consequently it is with more than one woman. They are also to exclude every woman constitute in the field of the procession of the procesion of the processio may be concluded that the Supreme Court decides that a man who believes it right to have more than one living

it right to have more than one living and undivorced wife is permanently disqualified for sitting upon a grand jury in the Territory of Utah. There is no way left open for him to qualify other than to renounce his belief, by throwing it off like a worn out tation to but one woman." garm ut, a feat not within the range of possibility. So the decision is not only a curtailment of titled to be registered privilege, but a parody on the principles of electral philosophy. Belief all but one, have died or been divorced, being a condition of the mind, its purgation from the intelligent organism must new same be by a mental procass. It cannot be legislated out of existence, neither cau it be extinguished by judical rulings, no matter how potential may be the tribunal from than one woman, which they issue. Unless the synopsized report does of the person, and not upon a past ofinjustice to the decision proper, a UNC: "Mormon" examined for qualification juror, may, as an offset to his belief in the rightfulness, under certain conditions, of a man having person as is described in paragraph 2 more than one fiving and undivorced wife, claim that he will find indictments in all cases when the evidence justmes, and still he will be rejected opinion of the Supreme Court: "The act of March 22d, 1882, created Yet a juror in that condition would no more defeat the ends of justice than it he were free from his peculiar belief. The conclusion is inevitable that the Poland law, of June 23d, 1874, relating to courts and judicial officers in the Territory of Utah, is practically a dead letter. It prescribes a limit in the selection of jurors within which the courts were required to keep. If there were no intention for the courts to remain within the presented limitation, there were drawing of the line would have been a decided superfluity. But now comes this latest decision of the Supreme Court, which mnows down the legal the Territorial Act, with the effect there fence and places a power in the hands of the courts and their officers here that is without curtallment, so far as the empaneling of jurors is concerned. it gives unlimited opportunities for "packing," a process as destructive of duties, must include the Act itself, the rights of the citizen as any other we which provides for their appointment know of. It is an authorization more and defines their duties, and if they fruitful of evil here than it could be elsewhere, because it lays a given in the Territorial Act, they must community who are the objects of strong popular prejudice open to be instruction of the strong to register are free from the disqualifications defined in the Act victimized by those who are powerfully of Congress. In doing so, they are, of impregnated with that feeling. The Poland act is illiberal and contracted and good faith in their inquiries, and enough, being aimed against the "Mormons." But it had a redeeming feature in its effort at securing some degree of "Mormon" representation on juries. This one quality of fairness, small though it is, has received a construed by the Supreme Court, and It is also claimed that the rates are bedeadly thrust from the Edmunds act also to secure uniformity of action, and the decisions rendered thus far in to the mode of procedure: cases under it that have been taken on

States, and he replied that he had no urisdiction in the case. The Acting Governor was appealed to for a reprieve, but in vain. The matter was again brought before the attention of the Supreme Court of the Territory, by several leading attorneys of this one woman. lty, who considered that under the Subscribed and sworn to before me circumstances, the execution of the

this......188 prisoner would be nothing less than Registration Officer for udicial murder. But the Court still Precinct. claiming they had no jurisdiction, de-NOTE .- The registration officer, or

the Supreme Court of the United one month immediately preceding the

nied the application for a stay of excution and recommended that the Executive grant a reprieve. The action of the judiciary in refusing to interpose, thus throwing the

responsibility upon the Territorial ex-Court in the Rudger Clawson case, de- ecutive, was denounced as cowardly. Court in the Rudger Clawson case, de-livered vesterday, is another blow at religious liberty. The source which want of moral courage, because of a his deputies, should strike from said list the names of all persons, who, he has reason to believe have become disreligious liberty. The source which want of moral courage, because of a gave it makes it all the more dangerous popular clamor for Hopt's execution. to human freedom. It came from a Yet the United States law (the Poland quarter beyond which, in this nation, Act) clearly gave the prisoner the right no earthly appeal can be taken. Not- of appeal, and to execute him pending other purposes.' withstanding the august character of its decision would be a legal atroeity. However, when all other sources Deputies should carefully preserve the are unable to consider it in any other failed in the vindicatton of the law, the Registration List for each precinct for use at the June Revision.

4. The first revision prior to June in 5. The County Registration Officers

have been necessarily employed in the discharge of their duties. 6. The law requires each County Registration Officer, in person, or by deputy, during the week commencing the first Monday in June, at his office to enter on his Registry List, the name

of any voter that may have been omitted, on such voter appearing and makwhich gives the atrocious villain Hopt ing affidavit, and to strike out the name

of any disqualified voter. 7. Upon the completion of the lists, each Registration Officer should pregreatly regretted. Or rather It pare triplicate lists in alphabetical oris to be deeply deplored that der for each precint containing the names of all registered voters, one of which lists should be filed in the office in the courts of Utah. Had it not been of the Clerk of the County Court on or before the first day of July next; one for this the red-handed assassin would list to be posted up in each precipct at long ago have met with the just reward least fifteen days before the day of election, at or near the place of election, and the other list transmitted by him to are punished, the safety of society dethe Judges of Election of the several precincts for use at the polis; and the affidavits of voters should be transmitted to the Secretary of the Commis-

----CIRCULAR. FOR THE INFORMATION OF REGISTRA-

as aforesaid.

time previous to the filing of the lists 110N OFFICERS in the office of the Clerk of the County 1. 'ourt, and have their names erased

The recent decision of the Supreme Court of the United States makes it necessary for the Registration Officers in I tak to be informed as to the points therefrom, and they may thereupon have their names registered in the pre-cinct to which they may remove. 9. Prior to each election the Regis-tration Officer of each county should cided, so far as they relate to the cause to be written or printed a notice discharge of their duties. Among the which shall designate the office or of-

ices to be filled, and stating that the 1. The Registration Officers are re-quired to exclude from the registry election will commence at ----- (designating the place for holding polis),

ing with any of the persons described -, A. D. 1885. 2. A bigamist (or polygamist) in the sense of the Sth section of the Edmunds Registration Officer.

Did Not Intend It.

BLOOMINGTON, Ill., 21.-John H. Variation State Central Committee, who has just arrived from Washington, has received a letter from Postmaster General Vilas. Complaint was made to Mr. Oberly, by democratic leaders at Aurora, that O. B. Kuickerbocker, of that city, was an his deputy, should erase from the clause betweet [brackets] such parts as are not applicable to the case. In every case the female should swear that she active and offensive partisan, and charges were made against him by Thos. O'Donnell, chairman of the city committee of Aurora, to the same efis over, twenty-one years of age, otherfect. The letter Mr. Oberly forwarded to Mr. Vilas, who replied that the charges would be considered as soon as wise she should not be registered. 2. And said Registration Officer, or business of the department, with proper regard to regular order, would permit. He says the vast amount of ralgia. department business necessitating most careful attention and appointqualified to vote under the act of Congress, approved March 22, A. D. 1882, meats to fill vacancies, may delay for entitled "An Act to amend Section 5352 some time the consideration of cases nerves. of the Revised Statutes of the United like this. Mr. Vilas adds that when the States in reference to bigamy, and for charges showing the postmaster to be an offensive and active partisan in his office shall be sustained, they shall re-3. The Registration Officers and their

ceive due consideration. Incendiarism

CUMBERLAND, Md., 21.-Wm. E. Hartman, one of the leading business men of Lonaconing, Md., is under arrest on a charge of arson. He is charged with having set fire to his store, March 29d, which resulted in the burning of six buildings and a loss of \$40,000. Hartman's loss was estimated at \$6,000; insurance \$5,000.

FOREIGN.

LATEST TRANS-ATLANTIC DIS-PATCHES.

Gloomy Forebodings.

LONDON, 21, 1 p.m.—Cousols opened this morning at 95% for money and ac-count. They soon after rose to 96, but almost immediately reacted to 95%. Russian seconties are dull and opened lower this morning,85%. American securitles are the strongest upon the list and are steady. The feeling in the exchanges this morning is even more gloomy than at the close last night. The dealings in all securities except American are very light and operators prefer waiting to see what will be done in the House of Commons this afternoon before going into the market or either side.

It is confidently expected that even the confidence of the Gladstone ministry is worn out at last.

True Bills.

8. The law authorizes voters removing from one election preclact to another in the same county to appear before the Registration Officer at any LONDON, 21.-The grand jury, this afternoon returned "true bills" against Cunningham and Burton for treason and felony, and also commended the police for their management of the affair.

Rumored Russian Advance.

BRUSSELS, 21.-A cipher dispatch re ceived from St. Petersburg last night announces a fresh advance of Russian torces upon the Afghan country. The dispatch also says there is a rumor current of disturbances among northern Hindostans against England.

Russia Will Seize and Fortify Herat

WARSAW, 21. The Taghlatt announces this morning that it is the intention of Russia to immediately make a de-scent upon Herat, capture it and strongly fortify the place. It also states that the damage thus far done to Great Britain in India would far exceed any losses to Russian commerce y a blockade to Russian ports.

Rioters Squelched.



I one month immediately preceding the dite hereof, [and am a native born or naturalized, or the wife, widew or daughter (as the care may be) of a native born or naturalized citizen of the United States.] I do further solemning swear (or affirm) that I am not cohabiliting with a bigamist, polynamist, or any person cohabiling with more than on the woman.
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CELERY, BREF AND IRON. At J. C. Sandberg's Paraiture Pactory, 108 W. South Temple Street JUST received in our Silk and Dress Goods Department an Elegant Line of THIS TONIC AND NERVINE HAS Spring Goods in the most stylish colors.

Call and examine at F. AUERBACH & BRO. BABY CARRIAGES At THNWOODEN'S

BILITY, INDIGESTION, LOSS OF DR. HENIKS'S Celery, Beef and Iron, ares Dyspepsis and Indigestion. APPETITE, NERVOESNESS and MALARIAL FEVER. Women who

DR. HENLEY's Celery, Beef and Iron, ures Nervous Headaches and Neuare troubled with nervous headaches have found great relief by its use DR. HENLEY'S Celery, Beet and Iron, enriches the blood and quictens the Medical men have recommended it in Number of the Property

cases where tonics are required. DR. HENLEY's Celery, Beef and Iron, restores lost vitality. Try one bottle, it will do a great deal of good.

DR. HENLEY's Colery, Beef and Iron, gives strength to mind and body. For sale by all dealers of duties,

DR. HENLEY'S Celery, Beef and Iron, Liquors and Grocenies. is the best Nervine and Tonic and has cured in many cases where other remedies failed.-Bulletin, April 15. GELERY. BEEF & IRON EXTRAIT CO INFORMATION WANTED.

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DR. GEORGE BRIDGES, V. S.,

TREATS ALL DISEASES OF

DOMESTIC ANIMALS.

ESTRAY NOTICE.

Non left shoulder and U on left thigi. O If the above described animal is not

A MADSEN, District Poundkeeper. Brigham City, April 19, 18°5.

ESTRAY NOTICE.

left shoulder, illegible brand on left hip. If the above described animal is not claimed and taken away within ten days irom date, it will be sold at Muntington District Pound, April 23, at 2 o'clock p.m. J. F. WAKEFIELD, Poundkeauer

Poundkeeper. Huntington, Emery Co., April 18, 1885.

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BAVE IN MY POSSESSION: North Temple Street, No. 149 W. One bay STUD, 3 or 4 years old, left front and right hind foot white brand resembling

SALT LAKE CITY UTAH. Post Office Rox 516. 1 111

claimed within ten days, will be sold Wed seeday, April 29, at 2 p.m., at the Estray Pound, Brigham City. STATE AND DESCRIPTION SUPERFINE WHOLE-WHEAT FLOUR. One dark red COW, 6 or 7 years old, white oa selly, underbit in left ear, upper slope in right, branded ~ slanting on left ribs, & on

"his Flour is made by wheat and process, from the best qualities of Utah Wheat, and contains ALL the marritise elements Anture bas implanted in the grain, producing su perfine, healthind, white bread.

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following Departments, at Wholesale and Retail,

appeal to the Court of Last Resort.

THE HOPT CASE DECISION.

THE case of the murderer Frederick Hopt, alias Welcome, will be celebrated in the judicial annals of this Territory. Three times has the accused been conevidence that has thoroughly convinced tried the case that the defendant was guilty, without a shadow of a doubt.

mauner," -and he is still a polygamist even "though he restricts his cohabi-that the Deputy Registration Officer of alght, a slight attempt was made by 3. If a man has married several the right to vote of any person regis-women and he has died, the surviving tered, until sunset on the fifth day pre-

women (if otherwise qualified) are eneding the day of election. Said objection shall be made by a qualified voter, in writing, and delivered to said Deputy Registration Officer, who shall 4. If, in such a case, all the wives, or the man is entitled to be registered. issue a written notice to the person The first or legal wife is not enobjected to, stating the place, day and hour, when the objection shall be titled to be registered, if at the time she offers to register she cohabits with heard. The person making the obleca bigamist or polygamist, (unless the tion shall serve, or cause to be served other wives are dead or divorced), nor said notice on the person objected to, is she to be registered, if she cohabits with a person cohabiting with more vice to the Deputy Registration Odi vice to the Deputy Registration Off-cer, before whom the objection is to be

6. The distranchisement operates heard. Upon the hearing of the case,

upon the existing state and condition | if said officer shall find that the person objected to is not a qualified voter, he It is, therefore, not retrospec shall within three days prior to the election transmit a certified list of all such disqualified persons to the Judges He alone is deprived of his vote. o, when he offers to register is then as to circibility to sit as a grand in the state and condition of a bigamist of Election appointed by the Commishabiting with more than one woman. such names from the Registry lists be-But a bigamist or polygamist is such a fore the opening of the polls. 10. The Registration Officer for each above, (which see). The Registration Officers are required under the law to county should, as soon as may be, after his appointment, transmit to the Secretary of the Commission, by mail, exclude all lilegal voters, and the different methods by which this may be effectuated are thus set forth in the at Salt Lake City, the names of three

persons, who are proper and eligible persons to act as Judges of Election in each precinct of the county, for the inthe additional disqualifications which formation of the Commission. If in

have been mentioned, and which, of course, are not met by the oath as pre-scribed by the Territorial Act of 1875, pear, the Deputy Registration Officer and it is not consistent with the express provisions of the Act of Congress, that every person willing to take the oath pointed will qualify as herein provided. every person willing to take the oath in the form prescribed by the Terri-Said Registration Officer should im-mediately transmit the oath of the torial Act shall be permitted to register as a voter. Either the oath itself person so appointed, together with the must be regarded merely as a model, name of the person declining to serv to be modified by the operation of the to the Secretary of the Commission. name of the person declining to serve, Act of Congress, so as to meet by ap-11. The Registration Officers and their deputies should each, before en-tering upon the discharge of his duties, propriate denials the several new disqualifications created by it, and then to aud in order to secure camist;" pay y given to it, to those who are not subfor their services they should immed-iately transmit said oaths to the Secrerary of this Commission.

fect to the disqualifications which the Act of Congress imposes. The existing laws of the United States and of the Territory, under which the election officers are bound to perform their have not the right to exact an oath dif ferent from that, the form of which i

are responsible in damages for rejections made without reasonable cause, or maliciously." fin order to conform the requirements of the Acts of the Territorial Legislature, in reference to the registration of voters, with the Act of Congress is the following suggestions are made as cent. less than the tariff between Chi-

himself or deputy, on the second Monday in May, proceed to the revis-

the public as well as the juries that | is not on his list; and if so, to add the same thereto.

suggested for use in the above cases, Yet so far he has been able to evade the legal benalty of his crime. This has occurred through no flaw in the billty rests, by erasure or otherwise, if

such precinct will hear objections to the nationalists to create a disturbance. The police succeeded in dispos-

Wagner's Letters.

Merat.

Consols.

5 13-16

at 95%



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c. C. M L Grorers Department. Eddlagton & S.ns. SUN 1st South Ellas Morris, opposite 2. C. M. I AND OTHER DEALERS. all - Lot shirth the MATCHES O un "RED CAP MATCHES" O good as the best imported and f sheap if not cheaper, so when yo matches ask for the red cap. L. DANLQUIST & CO. FOR SALE OR EXCHA FOR -Lumber, Grain, Flour, Prod oda Fountain Apparatus. Saw Apparatus. Parlor Billiard Table with Balls and Parlor Billiard Cues. Light Wugon. Baxter six horse power Engine and New Boiler. 12 to 15 Acres of Land in Brighton. Deare Warop. Heavy Wagon. Heavy Two wheel Dray.... Ballard Hifle, new, cost \$75, for. 3000 pounds Ground Cherries. Baled and loose Lucern; Baled Stra Salt, Fine and Coarse. Lumber. Stove Polish, Wholesale. Butter, Potatoes and Vinegar, Who Jurnips, Scouring Sapolia; Charcosl, Bone Ash for Assaying, Refining an lizing. Liquid Blueing, Wholesaic. 4 Ton and all kinds of Scales. Branson Knitter, best in the world Fellow Content of Scales. Felloes, Spokes, and Sound hund Pi-Nent Olt Manufacturer, and many s of Merchandize, all for trade, cash, c Weils Bored. House in 11th Ward to dispose of. IDAHO STOR Half Block South of Theatre. COHN W. SNE WATSON BROS. stonecutters and Build Tombstones, Monuments, Mantels, Mantels, Grates and Hearth Ston 1278 & 1280 SOUTH TEMPLE Opposite A sembly Halt. G. SCHÆFFER & CO. MAN FANCY GRATE TEIMMINGS. T BRASS GOODS, etc., Cincinnatti, O. WATSON BROS 0 anufacturers' Agenis, seep a comple of the above goods constantly on hand

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AGE	Fancy Goods and Trimming	<u>63</u>
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400 (k) 300 (k)	Youths', Boys' and Children's Suit	44
40 00 25 00 50 00	Youths', Boys' and Children's Hat & Cap	**
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1. The County Registration officer should forthwith procure from the Cierk of the County Court of their

respective countles, the last preceding Registry List on file in his office, and b

ion of the same, and for this purpose visit every dwelling house in each pre-cinct and make careful inquiry if any person whose name is on his list has ed, or removed from the precinct o victed of the wilful murder of John F. Turner, son of Sheriff Turner, upon same therefrom; or whether any qualified voter resides therein whose name

The following forms of affidavits are

Michael's Miracle If you have a Sore Threat, a Cough or a Cold, try B. H. Douglass & Sons' Capsicum Cough Drops; they are

everal weeks.

advancing.

cago and St. Paul. The statement is also made that the eastern trunk lines, despite the agreement, are shaving rates, but this is denied by the roads.

Gaining Strength.

A Dasky Lothario.

CHICAGO, 21.-A dispatch from St. Louis on Sun lay gave the particulars of the elopement of Mrs. Anna Stein-reid, of Memphis, with John Irwin,her husband's negro coachman, and stated that the husband, who is a wealthy physician of Memphis, was following the runaways. The elopement oc-curred three weeks ago on Saturday.

England of the Island of Port Hamil The Novoe Vremya says exchange bras again fallen, and the war cloud is

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leasant to the taste, perfectly harmss and will surely cure you.

We are now selling the celebrated NEW YORK, 21.—Dr. Douglas thinks General Grant is gaining bodily strength, the swelling at the base of the tongue, however, continues with a little sloughing. Pleasant Valley and Antiracite Coals; also Charceal, Coke, Pig. Iron, Wood, etc. Send your orders to He Main Street, next door south of Barratt Brothers. Telephone 211. SELLS, BURTON & Co. Pleasant Valley and Anthracite Coals

"ROUGH ON COUCHE Ask for " Bough on Coughs," for Goughs, Colds, Sore threat, Hoarseness. Troches, 15c. Liquid, 25.

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Madsen's. COAL! COAL! COAL! Weber, Rock Spring, Pleasant Val-ley and Red Canyon—All the Coais sold in the Saft Lake market. Our Weber is from, the celebrated Grass Creek

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