And the second se		and the sector of the sector o	in Manufactura and reads "down in the canada and	and a support of the second	
EVENINGINEWS.	AR APPRAL DENIRD	The foregoing is clearly in line with the views we have expressed, and isau authoritative exposition of the law. It	At A. J Peterson's, The only Norwesian dealor, in Salt	MORE BARGAINS	DOTTAT TODOC
Wednesday . June 38, 1880	THE TERRITORIAL SUPREME COURT BEFUSIES TO ALLOW THE OFFICE COASES TO GO TO THE UNITED	is in conflict with the claims set up by the defendants, and indicates that they have no right to appeal. The conten- tion made that because the court below	The only Norwegian dealor in Salt Lake City, is the only place in town where you can get the genume Nor- way and Holland herring: Norway anchovies and split codish. A full	MORE BARGAINS	COHN KUS.
FRAGMENTS.	In the application of Messrs. James	heid that the appointees of the Gover-	lowest prices. Produce taken in ex-		
REHOLAS JOB was fined \$5 to-day for	Jack and Nephi W. Clayton, Territorial Treasurer and Auditor, for bonds on appeal to the United States Supreme	in dispute, therefore "an au- thority exercised under the United States" is drawn in dispute,	utan INVENTION.	THE WALVED DDAG OA	
teap the "Pasturing" advertise-	Court to be fixed, the Territorial Court to-day rendered the following decision	is of no moment. In deciding these cases we said, in substance, that the defendants are not interested in the	The Horse's Friend Sulky Plow. The cheapest, strongest, and lightest draft	THE WALKER BROS. CO.	Special Clearance Sale !
t in another column. RS. JOSEPH A. JENNIOGS returned.	refusing the appeal: IN THE SUPREME COURT, UTAH TER-	action of the Governor, but only in the question as to their own right to hold office. They can be heard only so far	I dorsed by the best larmers in the coul-	- ARE OFFERING -	
erday from her visit to San Fran-	RITORY.	office. They can be heard only so far as the judgment of the lower court af- fected such right. The action of the Governor cannot be properly criticized	its Branch Stores, and at 131 to 135 S., Third West St. SALT LIKE FOUNDRY & M'F'G CO.		WE WILL OFFER FOR TWO WEEKS
THERE case of diphtheria has been antined. It is at 405 N., Second t Street.	The People of the Territory of Utah, upon the relation of W. H. Dickson, United States District Attorney for said Territory,	Governor cannot be properly criticized by the defendants. While this Court expressed its opinios, which it now reaffirms, that the Governor was au- thorized to do what he did do, we were	ICE CREAM ! If you want to get the justily cele- brated Boston ice cream, call on Arbo-	100 DOZ. MEN'S WHITE SHIRTS,	THE FOLLOWING GOODS
PT. WURTELLE, of the Wyoming ion of the Union Pacific, came to	Nephi W. Ciayton, and	not required to pass upon that ques- tion in disposing of the appeal of the defendants	gast & Trumbe Co., 108 Main Street, or at the old Oyster Grotto, 1st South	DELLER	ALACTUAL COST
ty last evening. HARD HOUSTON, for drunkenness	va. James Jack.	We are clearly of the opinion that the defendants have no right to appeal to the Supreme Court of the United	wholesale, and are prepared to furnish it in bulk to lawn parties and festivals.	At 50 ets. Each!	At ACTUAL COST
profanity, was fined \$15 in the	OPINION OF THE COURT.	States, and the motions for appeals are denied. ZANE, C. J., concurs,	in all kinds of fancy confectionery. Call and see the cool, clean places and		ALL OF OUR «
-DAY was the bottest of the sea-	Powers, JThe defendants move this Court to allow them to appeal from its judgments to the Supreme Court of the United States. The mo- tions are based upon an act of Con-	BOREMAN, A. J., COUCUTS.	get a treat of delicions ice cream.	500 Dallhmargan Chinter Danuthan at 100	Dress Goods, Pattern Dresses, everything in Silks
And any set of the set	gress entitled. "An Act regulating ap- i	The City Council met in regular ses-	HOW TO SAVE MONEY	50c. Balbriggan Shirts & Drawers at 50c.	Satins, Rhadames, Rhadzimers, Summer Silk Louzines, Tricotines, Foulards, Velvets in a
Sharn, Is and John IJ Pumal	peals from the Supreme Court of the District of Columbia and the Supreme Courts of the several Territories "	sion, at 7,0'clock last evening, Mayor Armstrong presiding."			Shades and Trimming Velvets. Also, our Sum
south to Lemmington, Millard- ty, to-day.	found in the statutes of the United	and City Conncil of Owden was read	thing at Boltom Prices. All the Church Publications kept constantly in stock;	A FINE ASSORTMENT OF	mer Pattern Dresses in all Shades. The stock is full yet and Customers will still find a goo
senting indust on Sunday, con-	tollows: "Be it enacted by the Senate and	celebrating the Fourth of Jaly in that city. The Auditor was instructed to	cellaneous Books, for both old and young. S. S. and M. I. A. libraries supplied,	GYMNASIUM and BATHING SUITS.	selection. We have a few Canvas Dresses ye
e a y per tans antes avour.	United States of America in Congress assembled. That no appeal or writ	acknowledge the courtesy and state that the Council as a body was unable to accept, but that such of the mem-	HENRY DINWOODEY		which will also be SOLD AT COST !
# SIXTH WARD SILVER BAND	of error shall hereafter be allowed from any judgment or decree in any	Bers as could attend, would do so. Richard Papworth asked permission	Has the largest and most complete	Gents' and Children's Straw Hats.	
D. & R. G. W., on Monday, July Fars for the round trip, \$1.75.	suit at law or in equity in the Supreme Court of the District of Columbis, or in the Supreme Court of ally of the Territories of the United States, unless the matter in dispute, exclusive of costs aball access the sum of five	for the purpose of supplying a cistern to his residence. Referred to the com- mittee on water works.	WALL PAPERS		To Our Spring and Summer Wraps are THI
ers and Lockly, will be Riven in l			New Carpets from 25 cents per yard. Curtains and Portieres.	GENTS' SUMMER SUFTS,	SEASON'S GOODS, and will be sold at LES! THAN COST!
vening, commencing at 8 o'clock.	"SEC. 2. That the preceding section	that fathant funne fleet and the	At AUERBAGHS'	FINE UNDERWEAR,	ade and a
WES KELLY, who seemed to think uld do about as he pleased in the	involved the validity of any patent or copyright, or which is drawn in ques- tion the validity of a treaty or statute	tablished as soon as practicable. Granted, and the surveyor was in-	HOME-MADE	Dress Shirts, Hose, Collars, Ties, Etc.,	OUR COTTON DRESS FABRICS
rus of the city, was taken in	of, or an authority exercised under the United States; but in all such cases an appeal or writ of error may be	port to the Council fortnwith.	Men's Suits made to order from Home-Made Cloth.	IN EARGE ASSORTMENT.	Beat anything in the city. I New Shipments Arriving Daily.
be was dued \$10 to day in the	brought without regard to the sum or	Ninth South between Eighth and Ninth East, stated that his property	New Styles Spring Suitings Just received from the Mills,	The Discontraction of the second seco	ing and in the second sec
e court. are requested to state that the	are entitled to an appeal, under each of the doregoing sections. In order to	from the canal, his machinery now be- ing under water. He asked a speedy	Flannels, Linseys, Tweeds, Tranks, Etc., for sale whole-	Our SHOE Dep't	WE MEAN BUSINESS. GALL AND SEE FOR YOURSELVES
ins of the late Mrs. Miller will be that in from Coalville to-night, and	better understand the question before us, let us consider what are the issues in these cases. or, in other words.	as might be deemed proper. Referred to the committee on canal	sale and retail at John C. Cutler & Bro., Agents Provo		
he funeral service will be held in	"The proceedings were actions in the	A. J. Peacock was allowed to do bus-	Woolen Mills, No. 36 Old Constitution Building.	Is Receiving Special Attention. Full Stock of Sizes, MEN'S, LADIES' AND CHILDREN'S,	COHN BROTHERS.
the deceased is relict of the late are Miller.	nature of guo warranto, to determine the rights of the defendants respective- ly, to the offices of Auditor of Public Accounts and Treasurer	count of a nondemand hollid	THE OPERA HOUSE BAND	IN BEST QUALITIES.	-
coninion of the Territorial Su-	of the Perritory of Utah. The ques-	fruit. Granted for one year.]	Will give their first excursion of the season to the Lake on Thursday, June		
e Court, refusing an appeal from cision to the United States Su-	ants were interested, was their title to the offices named. 'That was the only "matter in 'dispute.'' It is a matter which cannot be measured by dollars	asked permission to do business free of license. Granted.	24th. Concert and dance in the after- noon in the new Pavillion, and a ball at night. Trains leave U. & N. depot at	UNUSUAL ATTRACTION IN	DIZMITAMAG
of Territorial Auditor and	and cents, and it is clear, upon the	T. K. Little asked that his license as "passenger wagon man" be transferred to John Beck. Granted.	8:40 a. m., 1:10 and 5:10 p. m. Last train leaves Lake Point at 11 p. m.	DRESS GOODS DEP'T:	R.A.LIUMAN.
m. The case will now be sent	act. Turning then to the second section.	Licenses were granted to one retail liquor dealer and one brewer. The Mayor stated that Fitzgerald	Bingham and Recurn on Sunday,\$1.00.	A HANDSOME ASSORTMENT OF	1 *
teps will be taken in the prem-	and it becomes equally clear that in these cases there was not involved	who had applied for a saloon-keeper'a	COALI COALI COALI	Organdies, Lawns, Dotted Swiss, Satines and Canvas	24
аун.	and certainly there was not drawn in question, the validity of any treaty.	to be a general repugnance to his going	ley and Red Canyon-All the Coais sold in the Salt Lake market. Our Weber	Effects.	
and and merch ene tion unkes	there was drawn in question the val-	into business. A motion to grant the	is from the celebrated Grass Creek mines and we are mining better coal		the second

refers to a young man born and reared in this city, but who has been residing a few years in Los Augeles: H. J. Woollacott has just disposed of his residence, corner of Sixth and Spring streets, to Thomas W. Shaw, of Tennessee, for \$19,000. This is the second real estate transaction he has made during the past ten days, he having sold the Pasadeaa property for \$8,500, clearing on the two transactions in less than three years, \$21,000 net.

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LOCAL NEWS.

Commissioned .- The following officers elect have been commissioned for Richmond City, Cache County:

Thomas Griffin, Mayor; Charles Z. Iarris, Becorder; Cornelius Traveller, Freasurer; Eli Webb, Assessor and Collector; Henry Brower, Marshal; Freasurer: Wallace C. Burnham, F. Robinson, Jos. W. Hendricks, A. B. Harrison, John Gooch, Councilors; Eli Webb, W. D. Vannoy, Justices of the Peace.

Minstrels .- At the Salt Lake Theatre on Friday and Saturday evenings the minstrels will give performances. Of

them an exchange says: "The theatre was packed last night-"The theatre was packed last night-parquet, dress circle and gallery. It is niways packed when a minstrel com-pany of the merit of Barlow, Wilson & Rankin's company occupies the boards. The performance last night was in every way first class, and the audience laughed and applauded from the mo-ment the curtain rose until it rolled down at the end of the concluding farce. The olio was first class, and the farce. The olio was first class, and the the farce, a burlesque on the 'Mikado,' was one of the funnlest that the com-pany has ever produced."

pointed out.

A Sheep-HerderFined.-Yesterds y Conrad Miller, a sheep-herder, came to she city with the intention of going on a spree. He successfully accompliabed this part of the programme by getting intoxicated, and by his yelling and swearing in the street, effectually disturbed the peace of residents in the neighborhood. About 1 o'clock this morning he was arrested by the police. minus a portion of his clothing, and lodged in jail. At his interview with Justice Pyper he was adjudged gulity of drunkenness, protanity and disturbing the peace, and was fined \$17.50. He

of drumkenness, protanity and disturb-ing the peace, and was fined \$17.50. He departed boarer and wiser, minus his hat, which the officers were unable to find when he was arrested. Theatre.-Last evening's perform-ance of the "Planter's Wife" by the Harry Lacy Company, was witnessed by a fair-sized audience, by whom the play was highly appreciated. It is quite refreshing to witness s piece with a plot in it among the many trav-eling entertainments which have gei-the flery Southerner, "Colone Graham," was well sustained by Mr. Lacy, and Mrs. Rial's , "Edith Gray" was a careful rendition, calling forth hearty applause. At the close of the third act Mr. Lacy and Mrs Rial were called before the curtain. Mr. Hopper, as "Simeon Simco," clearly exhibited the fact that he is a good comadian, and Memers. Mitchel an. McCreasiy did equally weil. The pi ce was played smoothly throughout, and is full o

ity exercised under the United States. had been referred the petition of E. W. Tullidge and fifty-two citizens asking that the city purchase a number of cop-The defendants claimed to be Ter-ritorial officers. They based their title upon an election by the people of the Territory under and by virtue of a the of his history of Salt Lake for free distribution to various public libraries, recommended that the Mayor be au-thorized to purchase 200 copies and dis-Territorial statute. The extent to Territorial statute. The extent to which they were concerned in the cases was their right to hold office inder a Territorial law. They were exercising no authority under the United States, but they claimed their title from another source. They had no inter st, and had no right to be heard upon any other question. This court held that the Territorial law was void, so far as it provided for an election by the people or by any other mode; than that point-ed out by the Organic Act and by Sectribute them according to the petition.

Adopted. The Committee on police reported that they had examined and found cor-rect the statement of the PoliceJustice and the Marshal for the month of

May. The committee on license reported favorably on the petition of B. H. Wil-liams, asking a free license to run a job wagon for six months. ed out by the Organic Act and by Sec-tion 1357 of the Revised Statutes. No statute of the United States was drawn The committee on license reported favorably on the petition of Mr. Foster, asking leave to run a job wagon free of

inquestion. No contention was drawn but what the Organic Act and Section 1857 of the Revised Statutes of the United States were valid. On the license. Adopted. The committee on streets and alleys reported unfavorably on the petition of L. D. Young and others, asking that a watering trough be established at the northwest corner of Seventh South and contrary, it was a statute of the Ter-ritory and an authority exercised un-der and by virtue of that statute which Eighth East, stating that a trough had been established on the corner of Seventh South and Fifth East Streets. was drawn in question and was passed

was drawn in question and was passed upon. The power or authority of the Legislature to legislate upon the par-ticular subject matter was not ques-tioned, for it has that authority. This court simply decided that the officers named could not be selected in the manner which the Legislature had Seventh South and Fifth East Streets. Adopted. Mr. Riter moved that the resolution by which the height of telephone poles had been fixed at fifty feet be recon-sidered. Seconded by Mr. Cope. Mr. Riter said the superintendent of the Telephone Company had waited on him and had asked that he be given an op-portunity to be heard on the question before a committee. manner which the Legislature had

In the case of the United States In the case of the United States against Lorenzo Snow, this court had construed a statute of Congress, and the question came up in the Supreme Court of the United States whether that court had jurisdiction to hear and determine the case. We can do no better than to before a committee. Several members said the resolution was only in the nature of a temporary restraining order pending the framing of an ordinance permanently fixing the matter. The ordinance might fix the height at 40 feet or lower. Mr. Grant remarked that the re-straining order had not done any ma-terial restraining; the Hell Telephone Company had gone right on creeting poles despite the resolution, and he was in favor of politely asking them to take them down scale. quote the language of that court. After reciting the statute of Congress, which we have now under considera-tion, the Supreine Court, speaking by Mr. Justice Blatchford, says: "This Act is relied on by the plantin

n error as covering the present case. The first section of it applies solely to udgments or decrees in suits at law or take them down again. The Street Supervisor said the sh-perintendent told him they had re-ceived no official notification of the in equity, measured by a pecuniary value. If the second section applies to a criminal case wherein 'is drawn in question the validity of a' 'statute of, action of the Council. question the validity of a "statute of, or an authority exercised under, the United States," without regard to whether there is or is not any sum or value in dispute, the question still re-mains for consideration, whether, in the present cases, the validity of a statute of the United States, or the

validity of an authority exercised un-der the United States, is drawn in question. "The peculiar language of Section 2 is to be noted. In section 708 of the ke-vised Statutes, allowing a writ of error self, saying that he had not been rightly treated by the Council. They gave the city "hundreds of dollars in value by their system of free fire exchange." to review a final judgment or decree in any suit in the highest Court of a State, (Laughter.) Mr. Grant said if the telephone com pany were not able to "give this free fire exchange" to the City Hall, the citizens would not subscribe for their telephones. He thought there was

very little in that argument. Mr. Riter finally withdrew his motion, under the assurances that the resolution was only temporary, pend-

ing the presentation of an ordinance. One thousand dollars was appropria ted to the contingent fund of the Street Supervisor, and the Council then ad-journed until Tuesday next.

In the Supreme Court this morning, in the case of Frank Wright, appellant, vs. M. S. Aschelm et al., respondents, vs. M. S. Aschelm et al., respondents, the judgment of the Third District Court was affirmed, with costs:

A New GRANGER LINE.—It would seemithat there are still some people who think there are not too many roads in the northwest. An important

and Messre. Mitchel an Mooready did equally weil. The pi ce was played smoothly throughout, and is full o intense interest. It will be repeated this evening. A Wicked Blow.—This morning an old man named Elsmore went to a bydrant at the idaho Store stables, on

brought to this market can compare with ft. All our coals are nicely screened and cleaned. Coal Department, Union Pacific Rall-

way Company. A. J. GUNNELL, Agent. Office, Wasatch Corner

REFRIGERATORS, ALASKA AND CENTENNIAL, at DINWOODEY'S.

An. Enterprising, Reliable House.

An, Enterprising, Mellands mouse. Z. C. M. I. can always be relied upon, not only to carry in stock the best of everything, but to secure the Agency for such articles as have well-known merit, and are popular with the people, thereby sustaining the reputation of being always enterprising, and ever reliable. Having secured the Agency for the celebrated Dr. King's New Dis-covery for Consumption, will sell it on covery for Consumption, will sell it on a positive guarantee. It will surely cure any and every affection of Throat, Lungs, and Chest, and to show our confidence, we invite you to call and get a Trial Bottle Free.

BUCKLEN'S ARNICA SALVE.

The BEST SALVE in the world for The BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilbiains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money re-funded. Price 25 cents per box. FOR SALE AT Z. C M. I. DRUG STORE.

STORE.

AN ANSWER WANTED.

AN ANSWER WANTED. Can any one bring us a case of Eid-ney or Liver Completint that Electric Bitters will not speedily cure? We say they can not, as thousands of cases al-ready permanently cured and who are daily recommending Electric Bitters, will prove. Bright's Disease, Dis-betes, Weak Back, or any urinary com-plaint quickly cured. They purify the blood, regulate the bowels, and act di-rectly on the diseased parts. Every bottle guaranteed. Por sale at 50c. a bottle at at Z M I Drug Store.

· EVENTFUL 1886. Your health for the year depends upon purifying the Blood this Spring. No remedy will accomplish this so readily and surely as

BROWN'S SARSAPARILLA And Dandelion with lodide of Potas-

If your Liver is healthy and active, no-fever or ague is possible. BROWN'S SARSAPARILLA acts directly on the Liver and Kidneys and purifies the Blood. Try no doubtful remedies, but see the complete formula printed on BROWN'S SARSAPARILLA. Your Drucgist and Physician recommend it. It cures Rheumatism.

It cures Rheumatism. The genuine BROWN'S ARNICA SALVE is fully warranted. All Z. C. M. I. merchants sell Brown's Medicines because they are the best.

Medicines because they are the best. Dr. Foote, Senior, author of "Plain Home Talk," "Medical Common Sense," etc., etc., would say to those who would like to consult him by mail that they can have a list of questions and a circular of gratuitous advice by addressing Box 414, Salt Lars City. The doctor has arranged to have infor-mation supplied in this way to ave time. Excelving such printed matter the correspondent can describe his or her case fully and direct it to the doc-tor, in New York. Dr. Foote 1a suc-cessfully treating all forms of chronic diseases, a speciality to which he has devoted thirty, years of study and practice. Evidences of his success can also be had by addressing Box 414, as abover, that all letters of consultation and orders for remedies should be ad-dressed to Dr. E. B. Foote, Sr., 130 Lexington Avenue, New York City, N.Y. Consultation free.



The Recorder said he notified company next day. Mr. Grant said the city had given the company a right of way which was in-valuable, for bothing, and to be treated in this manner-to say nothing of pay-ing for the city's telephones-made him somewhat warm. Mr. Cope said the superintendent of the Bell Telephone Company had come to him and was somewhat, warm him-

