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THE OPINION.

The full text of the opinion by the United States Supreme Court in the suits against the Commissioners and registration officers appears in this issue of THE HERALD. Those who read the synopsis that was telegraphed from Washington, and who will now read the full opinion, will find a material difference between the two, the former falling to state the points of the opinion either clearly or correctly. The opinion defines the duties of the Commissioners, which are simply to administer the Utah registration and election laws, their authority being limited to the appointment of registration and election officers, the canvassing of returns, and the issuing of certificates to such persons as appear, by the returns as certified by the election officers, to have been elected. This is the position to which THE HERALD has held from the first and its protests against the orders, rules and proceedings of the Commission have been based on the departure of the latter from the plain line of its duty as marked out in the Congressional act creating it, and defined in the Territorial law which it was instructed to administer. It is the Utah election law that the Commissioners were appointed to enforce and they must apply and enforce, it in the way that the law itself prescribes, and not as they think it should be enforced. They have nothing whatever to do with any Congressional act beyond this: The Edmunds law created certain disqualifications on a class of citizens, barring that class from voting or holding office, and only to the extent of denying to that class the suffrage and office-holding privileges formerly enjoyed can the Commissioners lawfully depart from the Territorial statute.

The Supreme Court holds that as the Edmunds act conferred upon the Commission no power to prescribe conditions of registration or of voting, the rules that have been promulgated are null and void. The registration officers must register persons qualified under the laws of the Territory and not disqualified by the eighth section of the Edmunds act, who offer to take the oath set out in the local law. The eighth section of the Edmunds act is the one which declares that no bigamist, polygamist, or any person cohabiting with more than one woman, and no woman cohabiting with any man described as above is entitled to vote. The Court does not say how the registrars shall obtain the information as to the status of the applicant for registration as to the disqualification, but intimates that the facts may be learned either by a modification of the statutory oath, or by other means, but whatever course he may pursue in the premises the officer must be certain of the existence of the disqualification before striking a name from the registration list or refusing to register a person offering to take the oath, the registrar being declared liable for damages for refusing to register one entitled to vote.

An important feature of the opinion is that defining a polygamist or bigamist under the eighth section of the Edmunds act, or with reference to the disfranchising declaration of the law. A distinction is drawn between a polygamist subject to prosecution under the first section of the act, and a polygamist liable to disfranchisement by the eighth section of the law. A polygamist who could not be prosecuted criminally, by reason of the interposition in his behalf of the statute of limitations which bars the institution of an action after three years from the marriage, would yet be held a polygamist under Section 8 of the Edmunds act, and as such would not be entitled to vote, provided he continued the relation of husband to more than one woman, whether or not there was actual cohabitation with more than one, or with none. On the other hand the disfranchisement ceases when the bigamist or polygamist relation terminates, and does not continue, as the Commission held, through all time, the order of the board in effect, "once a polygamist always a polygamist." The language of the opinion on this point is as follows: "He alone is deprived of his vote who, when he offers to register, is then in the state and condition of a bigamist or a polygamist, or is then actually cohabiting with more than one woman." As we

interpret this, it means that the polygamist who by reason of the death of a wife, or putting away of his wives and the wife, whether lawful or polygamist, who severs the unlawful connection are once restored to the right of suffrage. This will enable many men and women who were denied the privilege of voting to reason that right, among them being a number of the prominent citizens some of them being among the most enterprising, progressive, and able people of the Territory.

The portion of the opinion referring to the right of Congress to legislate for the Territories is simply confirmatory of a power that was assumed long ago and has been exercised in spite of the protests and denials. The opinion merely gives judicial approval of what had been a fact so long that it was not expected it would now be overturned.

GREAT BRITAIN AND RUSSIA.

The trouble between Great Britain and Russia is over a strip of disputed territory eighty miles wide on the northern boundary of Afghanistan, and which is claimed both by the Czar and the Ameer. That is to say, this unimportant territory is the ostensible ground for the threatened hostilities, but the real trouble lies back of the ownership of a patch of land that is valuable to nobody. Thirty-one years ago, Queen Victoria issued a proclamation declaring war against Russia, though there had been some fighting on the Danube in 1853. That proclamation resulted in the famous affair at Sebastopol which practically terminated one of the desperate and destructive wars that have gone into the world's history, and brought defeat and humiliation to the Russians. Two years after Sebastopol, when peace was restored and the soldiers of the allied powers had gone from the Crimea, Russia began an advance towards India, and has since steadily moved forward foot by foot towards the rich east. The maps of to-day are not like those that the schoolboy of twenty years ago used to study. The vast territory across which was then written Turkestan is now included in Russia, which latter is only separated from the Oriental empire of Victoria by the wild and mountainous country occupied by the Afghans. Great Britain, it is true, has moved westward and southward somewhat, her Indian lines, but with no wish to encroach upon the domains of the Czar, the advance of the British being more for self protection and in the interests of civilization than with the desire to acquire territory. The English have not been unmindful of the purposes of Russia, and now deems it time to check that advance; it is better to stop it now, on the border of a friendly power or ally, than wait until it reaches the Indian boundary, and becomes a perpetual threat, involving the maintenance of a vast army posted for a thousand miles along the frontier. While Afghanistan is nominally an independent power, it is in fact the mere puppet of Great Britain, the present Ameer being the creature of the English and his predecessor the pensioner of the British government. It best serves the English to have it thus, the arrangement being less expensive to Great Britain, less offensive to Russia and quite as effective as a barrier against the Czar's aggression. The English, in their own behalf, and not because they entertained any special love or regard for the wild tribes of that country, constituted themselves the protectors and benefactors of the Afghans, and in that way they have assumed a position where an attack on Afghanistan by Russia is an attack on the British.

It will thus be seen that there is real cause for war, as there is immediate danger of the breaking out of war, though the peaceful, military hating Gladstone will do all he can to prevent hostilities. The Russians have been guilty of violating the agreement to remain inactive pending an attempted adjustment of the boundary dispute, and do not now seem disposed to apologize for their attack on Penjsh, a city in the disputed territory. Under some administrations Great Britain would not have hesitated and delayed as it is doing to-day, anxiously, almost cravenly seeking an excuse for failing to act with the promptness, the determination and defiance that have characterized her course in the past. It is believed that had Disraeli been premier when the news of the Penjsh affair reached London, it would have been followed by a demand for an explanation and apology and had it not been forthcoming the proclamation of February, 1854, would have been repeated, and ere this the guns of Great Britain would have been thundering in the ears of the Russians.

That there will be a contest between these giants is as certain as that the ambitions and aggressions of the Russians shall continue, and the self-respect, the determination and the bravery of the British remain national characteristics. The trouble may be stayed off for a time, but only war can check the Czar or protect the Queen's Indian empire.

THE GRAND JURY has taken an adjournment for a month. Now, if the Commissioner and District Attorney will indulge in a similar vacation, there will be a boom in spring planting.

Now that Grant is going to get well, many an editor will regret that he was seduced by the General's threatened death into saying such good things of the old warrior that forever after he will be barred from abusing the veteran hero. Nature and the doctors have played it fine on the editors.

A CABLEGRAM in this issue of THE HERALD indicates that Gladstone's vertebra is receiving the true British rigidity. The Premier is rather old to develop new backbone, but perhaps, like Eli, though a little late, "he'll get there."

PROVO POINTS.

News Paragraphs from the Utah County Capital.

OUR THEATRE is still progressing favorably.

C. R. SAVAGE was among our arrivals on Friday.

THE D. & R. G. trains are now running on time again.

JOHN H. GORMLY goes via the D. & R. G. to Ogden to-day.

DR. F. S. BASCOM, of Salt Lake, sojourns among us. He returns home to-day.

JUDGE BOREMAN, C. S. Varian, and A. H. Winn, will return home this afternoon.

SHADE TREES are rapidly leading out which gives our streets a verdant and pleasant appearance.

R. HILLMAN and Albert Brown are with us. They leave to-day, to proceed on their drumming tour.

J. M. EASTON representing Toole, Jones & Co. of St. Joe, Mo., and John Beatty, Jun., traveling agent for Reed, Jones & Co., Omaha, are registered at the Excelsior.

OUR PROVO WOOLLEN mills are running in full blast. A full number of employees are at work. Instead of the orders formerly used Superintendent Reed Smart has devised the use of scrip, ranging from 10 cent pieces to \$2 bills.

MERCHANTS ARE rustling around in high spirits; as court opens, and many witnesses come to our burg; business brightens up, and Provo invariably presents a more salubrious and prosperous aspect.

IS LAST Saturday's ball game, between the Payson nine and the Aerts of this city, the score stood: Provo 27, Payson 24. A game is now in progress between the Anchor club, of Provo, and the Springville nine.

REV. E. SMITH, pastor of the M. E. Church, in this city, leaves in a few days for Nebraska, where he will engage in the same labor as has occupied his time and attention here. During his residence here, by his affable, polite and kind manner, he has made a host of friends, who regret his departure. We, with the rest of his many friends, wish him happiness and success in his new field of labor.

IN OUR last we made mention of George Shurtiff being arrested for selling liquor contrary to the city ordinance, and in his trial before the justice's court, he was fined \$100, and a fine of \$35.00 was imposed. He then took an appeal to the District Court, where his case was heard on Monday, and a verdict of guilty was returned yesterday to pay a fine of \$30 and costs of court, amounting to \$45 and fifteen days imprisonment. He will take an appeal to the Supreme Court of the Territory.

IT IS with deep regret that we are called upon to chronicle the death of Thomas Fenn, who died at his residence yesterday morning. He has been confined to his bed the past three weeks, suffering with inflammation of the bowels. He bore his intense suffering with all patience, and although his death was not unexpected, it has cast a gloom over the entire community. He was a kind father and an affectionate husband, upright, honest and conscientious in all his dealings. He leaves a wife and seven children, who are grief-stricken with their loss, as are also his numerous friends and relatives. The family in this hour of their sad bereavement. We extend our deep and heartfelt sympathies.

THE MANTI murder case is now in progress, and is creating considerable interest. Farmer and Follett, the two boys charged with the murder, when first arrested by Marshal Lowry, of Manti, were searched and on removing their clothing, found stains of blood on the inside of their vests. Farmer claims that those stains were made by red undershirts. On removing their shirts, they were found to be covered with red stains, and with red stains on the floor of the house where the man Ottenison was murdered, tracks made in the blood were discovered, apparently made by parties in their stocking feet. These tracks were measured and found to be identically the same size as the feet of the two boys. A search of an adjoining corral was made, and there were found two pistols, covered with red stains. Follett, in his examination before the justice's court, at Manti, claims that those stains were blood, but that they had come from a duck killed by him the day previous to the murder. Dr. Bascom, of Salt Lake, an expert, who made an analysis of the blood found on the vests was put on the stand yesterday, and gave it as his opinion, that the blood was that of a human. There are a great number of witnesses on both sides, and it is thought that the trial will consist, most of next week, it is a very peculiar case, and the outcome will be looked forward to with great interest.

PROVO, April 18th, 1885.

THE performance of two tunes on a guitar by a bride was a fee which a Georgia justice received for marrying a couple.

A HAPPY combination of best Grape Brandy, Smart-Weed, Jamaica Ginger and Camphor Water, as found in Dr. Price's Compound Extract of Smart-Weed, cures cholera morbus, diarrhoea, dysentery or bloody flux, colic, or cramps in stomach, and breaks up colds, fevers and inflammatory attacks.

"Ruchs-Paiba," Quick, complete cure, all Kidney, Bladder and Urinary Diseases, Scalding, Irritation, Stone, Gravel, Catarrh of the bladder. \$1. Druggists.

RELIGIOUS SERVICES.

CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.—Salt Lake Stake of Zion, Angus M. Cannon, president; Joseph E. Taylor and Charles W. Penrose, counselors. Services in the Tabernacle at 2 p. m., and in the various ward meetinghouses in the evening.

ST. MARK'S CATHEDRAL.—Holy Communion, 7.30 a. m.; Sunday School, 9.45 a. m. Morning service with sermon at 11 a. m. Evening prayer and sermon, 7.30 p. m.

WESTMINSTER PRESBYTERIAN.—Services at the Synagogue, two blocks west of Cliff House on Third South street. Preaching at 11 a. m. by Rev. H. A. Newell. Subject, "The Jubilee." Seats free and the public made welcome. Sabbath School at 12.15.

CAME CHAPEL.—Fourth West street, between First and Second South. Evening service at 7.30. Preaching by Rev. H. A. Newell. Everybody welcome. Sabbath School at 3 p. m.

FIRST PRESBYTERIAN.—Public worship at 11 a. m., and preaching by the pastor, Rev. G. M. Jeffrey, Sabbath School at 12.15. Young people's meeting at 6.45. Union temperance meeting at 7.30, in the Congregational Church.

CONGREGATIONAL.—Services at Independence Hall, Third South street, between Main and West Temple, at 11 a. m. and 7.30 p. m. Rev. J. B. Thrall will preach in the morning. Union temperance rally in the evening. Sunday school at 12.15. Seats free at all services, and the public invited.

METHODIST CHURCH.—Preaching by Rev. G. M. Jeffrey. Morning class at 10.30 a. m. Sunday school at 12.20 p. m. Young people's meeting promptly at 6.30. The assistant pastor would be glad to see all the friends at the morning service. All visiting strangers invited and everybody welcome. Seats free.

PARODY ON OTHELLO'S APOLOGY.

Most potent, grave and heavy-weight comedian. My very noble and learned "Greenleaf on Opportunities."

That I have to an away the old man's daughter is most true, and I am most proud. And Jacob-like, with their mutual consent, 'tis true I MARRIED them.

The very head and front of my offense hath this against me, that I did love to love.

In good faith I married them, love and cherish them.

Had I but learned your better way, not marry, but deceive, then you would have deemed me a loyal, trusty citizen.

Rude am I in law, and little blest with "Greenleaf on Opportunities."

For some these hands of mine for many years have been engaged in picking locks, breaking bolts and bars, and opening safes.

Therefore, little shall I grace my cause, in speaking of myself.

But by your good'nous patience I will tell you of our love affairs.

Their father loved me, and oft invited me to the house to take something.

(Which seldom I refused) and bade me tell him what I thought of his two daughters. I did consent, and often visited the old gent, with this understanding:

That in case of double matrimony the old man should stand true.

And not go back on me before your pond'rous majesty.

At these interviews my peculiar marriage views were drawn out.

And these things to hour both Rachel and Leah would bend an ear.

Until the kitchen affairs would draw them off awhile.

Which they with haste dispatched, and he would return again.

And thus I use for my marriage views, the stories I had told.

Of persecutions, marshals, packed juries, both petit and grand.

And bade me, if I meant business, I would woo them, then and there.

On this hint I spoke, and with the old gent's consent.

Did I marry both of them—there being then no Edmunds-law.

This is the head and front of my dishonor to all.

And for this offense by you an hold in bonds.

There has been no deception in my course with each.

But here comes the ladies themselves—subvert them.

And let them speak.

OLD JOE.

DIED.—April 17th, of typhoid pneumonia, Elizabeth, infant daughter of Albert and Harriet Akker.

Funeral services will be held at the residence of the parents, Nineteenth Ward, at 10 a. m., Sunday, April 19th. Friends of the family invited.

MISCELLANEOUS.

PURE DR. PRICE'S LUPULIN BAKING POWDER. MOST PERFECT MADE. Prepared by a physician with special regard to health. No Ammonia, Lime or Alum.

Light, Healthy Bread. DR. PRICE'S LUPULIN YEASTGENS. The best Dry Hop Yeast in the world. Bread raised by this Yeast is light, white and wholesome like your grandmother's delicious bread. CROCCERS SELL THEM. PRICE BAKING POWDER CO., Manufacturers of Dr. Price's Special Yeast Generators. Chicago, Ill. St. Louis, Mo.

SPECIAL NOTICES.

TO LOAN.—FROM \$5.00 TO \$100.00 ON GOOD REAL ESTATE Security. In small amounts. Inquire 168 S. Main Street, Rooms 1, 2 and 3.

LOST.—IN OR NEAR Z. C. M. L. ON SATURDAY, April 18th, a Red Patch Purse, containing money, orders and a railroad ticket, payable to Mrs. M. Silver. A suitable reward will be given if the finder will leave it at this office.

FOR RENT.—A MODERN RESIDENCE, WITH GAS and water; location, one block east of Eagle Gate, on side hill. HENRY SNELL, 73 Main Street.

PREPARE FOR WAR.—THEY ARE COMING BY THE MILITARY. Fully furnished houses with Fly Doors and Windows made at the Furniture Factory, 108 W. South Temple Street, opposite the Valley House.

FURNITURE REPAIRED.—MAKE AND REPAIR ALL KINDS OF Furniture on short notice. Work guaranteed. JOHN C. SANDBERG, 108 W. South Temple Street, opposite Valley House.

FOR SALE OR RENT.—PIANO—ENQUIRE AT RIVERS BROS., Wasatch Block.

FLY DOORS.—KEEP THE RASCALS OUT OF YOUR houses, and order your Fly Doors and Windows at John C. Sandberg's Furniture Factory, 108 W. South Temple Street, opposite Valley House.

FLASTERING.—BIDS FOR FLASTERING MY NEW Store will be received at my office, in the Eagle Emporium, up to Saturday, April 18th. Apply for particulars to Wm. Paul, Jr., architect, on the premises. WM. JENNINGS.

FURNITURE.—MY FURNITURE BUSINESS GOES ON as usual at my old stand, where I shall be glad to meet both old and new customers. JOHN C. SANDBERG, 108 W. South Temple Street, opposite Valley House.

PASTURE.—GOOD PASTURAGE FOR STOCK, TWO miles north of Hot Springs. Apply on premises. COOPER BROS.

FISH MARKET.—WHOLESALE AND RETAIL FISH MARKET, 87 E. Second South Street, John H. Freeman, importer daily of salt and fresh water fish. Orders solicited from the trade. Hotels and families supplied at low rates.

FOR SALE.—A NEW BUCKEYE HARVESTING MACHINE, self-Binder, for sale, cheap. Inquire of JOHN C. SANDBERG, 108 W. South Temple Street, opposite Valley House.

WANTED.—WANTED IMMEDIATELY AT THE Bottling Department of the Salt Lake City Brewery, Ten good, steady Boys.

WANTED.—WANTED—LADIES AND GENTLEMEN in city or country wishing to earn \$1 to \$5 per day at their own homes; no canvassing; work furnished and sent by mail any distance. For particulars address, with stamp, CRYSTALLIZED PHOTO COMPANY, 33 W. Seventh Street, Cincinnati, O.

HOME FOR SALE, CHEAP.—BRICKHOUSE OF TWO ROOMS, HALL, bath, pantry, summer kitchen, coal shed, etc.; two blocks north of Twentieth Ward Meeting House. Apply at this office.

ARRIVAL.—MME. MIZPAH, EMINENT CLAIRVOYANT and Revealer—the LeNormand of America. Now is your chance to consult one of the greatest fortune tellers living. Room No. 3, City Hotel, 144 W. First South Street.

SALT LAKE SCHOOL OF MUSIC.—CLASSES IN RIGHT READING, HARMONY, Violin, Piano, Organ, etc., etc. For particulars apply to Prof. George C. Careless, Music Store, 33 West South Street.

WANTED.—A QUANTITY OF TREES OF THE FOLLOWING varieties: Black Willow, Canadian Poplar, Honey Locust and Box Elder. Enquire at the Utah & Nevada Railway office, over T. W. Jennings' store, First South Street.

R. KLETZING, ARCHITECT.—OF THOROUGH PRACTICAL AND THEORETICAL experience, prepares plans and specifications of any style and description, and with special attention to the latest improvements made east and in Europe. Remodeling of buildings and inside finish a specialty. Office: DESERET NATIONAL BANK BUILDING.

SCHOOL FOR SINGING.—CALDER'S MUSIC PALACE, 45 FIRST South Street W. Mr. B. H. Young and Madame Marnette Young, on Mondays, Wednesdays, Thursdays and Saturdays.

FOR SALE.—SHORT HORN AND HEREFORD CATTLE.—I will sell one hundred high grade Short Horn Bulls and fifty Hereford grade Bulls to be delivered on or before November 1st, 1885.

These cattle are bred and raised in my celebrated Short Horn herd, which I have been breeding up with thorough-bred pedigrees Short Horn cattle since the year 1852, and a great many of the dams of these bulls offered are full bred Short Horn cows.

This herd of cattle is well known to stockmen of this western country; the cattle being bred and raised in this Mountain country makes them more desirable than Eastern raised cattle, as they are already acclimated.

Please note cattle killed from my herd: One steer three years and five months old dressed net beef 1,612 pounds; two cows dressed 1,400 pounds each; one steer 1,390 pounds, twenty-six months old, and a large number of steers weighing 800 pounds net beef at three years old. Those wishing to purchase will please engage at once as none other only to fill orders will be reserved.

Also one thorough-bred Hereford, 2-year-old, now ready for delivery. WILLIAM JENNINGS, Salt Lake City, Utah. P. O. Box, 362.

NEW TO-DAY.

FOR SALE, CHEAP.—ONE POOL TABLE, 4 FEET BY 8 FEET and One Combination Table, 4 FEET BY 8 FEET. Both in good condition. THOMAS HUBBARD, Particulars.

REAL ESTATE.—CHARLES E. POMEROY, REAL ESTATE and Loan Agent, Money to loan on Real Estate. Rents Collected. Houses and Lots For Sale. Collected. Houses and Lots For Sale. Collected. Houses and Lots For Sale. Collected.

PIANO LESSONS.—MR. T. RADCLIFFE, TEACHER OF PIANO, second door east of St. Mark's church. Has den visited Wednesdays and Saturdays.

CALL.—A DOOR NORTH OF CLIFF HOUSE, THREE HIGGINS, the Microscopist, and one of the best Physicians, the specialist, before taking medicine of any one else. All orders will be promptly filled. Address Dr. C. W. Higgins, No. 222 Main Street, Salt Lake City, Utah.

THE STANDARD TYPE WRITER.—The Remington. Warranted to of three ex without its use to be necessary near any men.

WYCKOFF, SEAMAN & BENTON.—Sole Agents for the World, 28 Madison Street, Chicago.

EDWARD E. BRAIN, Agent, Salt Lake City.

A. J. TAYSUM, Plain and Ornamental Plasterer.—AND—Cornices and Centerpieces.

Whitewashing and Calcimining.—On Short Notice. Leave Orders at Watson Brothers, opposite Valley House.

SUPERFINE WHOLE-WHEAT FLOUR.—This Flour is made by special process, from the best qualities of Utah Wheat, and contains ALL the nutritive elements Nature has implanted in the grain, producing superior, healthful, white bread.

Warranted as represented, and Manufactured by The Pioneer Roller Mills, SALT LAKE CITY, UTAH.

Sold at \$2.50 retail, by Z. C. H. I. Grocery Department, Edgerton & Sons, 516 West South Street, and other dealers.

Spencer & Kimball. SPRING GOODS! Boots and Shoes. 160 MAIN ST. COAL. D. & R. G. W. COAL AGENCY. 145 S. Main Street. PLEASANT VALLEY. Being a free-burning Coal, it is especially adapted to kitchen use.

Colorado Anthracite Coal. El Moro Blacksmith Coal. Coke, Charcoal & Wood. Our Coals are thoroughly screened and clean.

PROMPT DELIVERY GUARANTEED. Telephone No. 111. SELLS, BURTON & CO., Agents. HULBERT BROS. CARPET WAVERS. Custom Work Promptly Done. We keep a large Stock of the Coolest from 45 cents per yard up.

so the Best Brands of Coffee Way to This Market.

WE STRIVE TO PLEASE. Give Us a Call. 27 W. First South St., one door west Knitting Factory.