

THE DAILY HERALD

Salt Lake City, - - Utah.

SUNDAY, - - NOVEMBER 15, 1885.

TWELVE PAGES.

LOCAL BRIEFS.

H. B. CHAPMAN, of New York, is dead. RAYBOLD has Harper's for December. It is an unusually interesting number.

T. R. JONES & Co. received yesterday 2 cars Germania bullion valued at \$4,851.93.

ZION'S BENEFIT Building Society will hold their regular meeting on Monday evening.

ROBERT R. WILLIAMS was yesterday appointed notary public for Weber county.

THE TEMPERATURE yesterday, as reported from the Signal Service office, was—maximum 48.7; minimum 27.9.

THE UNION PACIFIC, following closely in the wake of Governor Murray, has issued its Thanksgiving proclamation. Unlike the Governor's, it is not brief.

MCDONNELL & Co. received yesterday three cars Hammar bullion valued at \$7,500; two bars Stormont, \$2,950; Maywood ore, \$1,700; Lead Mine ore, 2,150. Total, \$14,900.

THE FIRST stage rehearsal of the Iolanthe Opera Company, will be held in the Theatre to-morrow evening, at 7:30 o'clock. A full attendance of the entire troupe is requested.

THE YELLOW flag floats in front of the residence of Mr. Daniels, on Second Street, just west of the Eighteenth Ward chapel. This is the only case of diphtheria in the city at present.

PAVY, WALDEN & Co. will open a wholesale woodenware house at 74 E. Second and South Street in a few days. The building has been appropriately fitted up, and the stock will soon be on hand.

A MAN was arrested late last night for prowling around in the rear of May's butcher shop. Investigation of the back door by the nightwatchman revealed the fact that it had been tampered with.

THE SANDY Harmonica Band favored THE HERALD with some sweet strains last evening, sending them all the way by wire. The players and the telephone performed their respective parts of the business satisfactorily.

ROBSON & CARLQUIST, the well-known dealers in furniture, etc., have a new advertisement in this issue, headed with the figures, 20,000 pounds. You cannot do better than to give them a call before investing in anything in their line of trade.

S. J. LORBERG was yesterday appointed alternate delegate to represent the Territory of Utah at the convention of the National Cattlemen's Association, to be held at St. Louis on the 23d instant. The credentials were signed by Governor Murray yesterday.

LATE on Friday evening a party of ladies and gentlemen were returning from a party at Wood's Cross, in an excursion wagon, the driver ran off the road and upset the occupants in a ditch, a short distance this side of the Hot Springs. One of the ladies received a rather severe scalp wound, but with that exception no one was hurt.

COMMENCING to-morrow evening Messrs. J. B. Moreton and A. S. Kendall organize classes in several branches of study which will prove of benefit to all young men who desire to attend. The night school assemblies in the Twelfth Ward schoolhouse, and no doubt these competent teachers will receive many pupils. See special adv.

THE MARON & Hamlin Organ and Piano Company of New York, received a cabigram a few days ago from their London agents, announcing that the only gold medal for cabinet or reed organ had been awarded their instruments at the London Inventor's Exhibition. The agency of the firm in this city is at Calder's Music Palace.

THE EIGHTH anniversary of the Temple of Honor in Utah will be celebrated by a grand banquet and weight sociable on Monday evening, December 7th, 1885, at 7:30 o'clock. The affair, which will doubtless be a pleasant one, will be given at their hall over the Deseret National Bank. All Templars are cordially invited to be present, and a special invitation is extended to Salt Lake Junior Section No. 1.

Dr. T. STERRY HUNT, the eminent geologist, will deliver a free lecture in Independence Hall to-morrow evening, commencing at 8 o'clock. The learned gentleman has chosen for his subject "The Building of the Earth." His appearance to-morrow is at the earnest solicitation of many of our citizens, and the subject is said, by those in a position to know, to be an extremely interesting one.

"The" Place of Beverages.

The Occidental bar, where the choicest of wines, liquors and beers are manipulated in the most tempting fashion by the experienced proprietors. The family trade and private parties supplied with the best of California and imported wines and fragrant cigars always in stock. AVER & MURPHY.

Go to E. E. Clute, 143 S. Main St., and buy any kind of coal you want.

Our Gents' Custom-made Suit Department has received more new clothes. F. AUERBACH & Bro.

Weather strips at DISWOOD'S.

The Best Coal in the Market is sold by E. E. Clute, 143 S. Main St.

WE PAY 15 cents each for empty coal oil cans. CULMERS BROS.

BRASS BEDSTEADS, at BARRATT BROS.

CROUP, WHOOPING COUGH and Bronchitis, immediately relieved by Shiloh's Cure. For sale at A. C. Smith & Co's Drug Store.

GENTS' Youths' Boys' and Children's Suits at the lowest prices in the city, at F. AUERBACH & Bro.

PICKERS' Rigs, Feet, Tripe and Tongues, at CULMERS BROS.

AS WAS EXPECTED.

Judge Zane's Decision in the Miner Disbarment Case.

THE MORAL POINT OF VIEW.

The Court indulges in an Argument in Favor of Monogamy, and Miner is Disbarred.

In the Third Judicial District Court, Utah Territory, Salt Lake County.

In the matter of the citation of Aurelius Miner to show cause, etc.

At the present term of this court, Aurelius Miner, an attorney and counselor-at-law thereof, was convicted of the crime of unlawful cohabitation, and sentenced to imprisonment in the Penitentiary for the term of six months and to pay a fine of \$300 and the costs of prosecution. Before judgment he was asked by the Court if it was his intention in the future to obey the laws of the United States respecting polygamy and unlawful cohabitation, and not to advise other people to break them, to which he said that since his majority he had never said that he would obey all the laws of Congress. When reminded of the obligations of his oath as an attorney, he answered that he was admitted to practice law before the act referred to took effect; that he took an oath to support the Constitution of the United States; that since he had reached his majority there had been laws of the United States in force which he had said publicly that he would not obey, and that there were other laws in force before his time which probably he would not have obeyed, had he lived during the time they were in force; that he was ready to obey all constitutional laws; that he differed from the courts as to the validity of the law against polygamy and unlawful cohabitation; that when a law reaches into the domain of morals he had a right to so differ. When further reminded that the Supreme Court of the United States, the tribunal of final appeal provided by the Constitution of the United States, had repeatedly affirmed the statute against polygamy and unlawful cohabitation to be valid and binding upon every person within their jurisdiction, he answered that he had said from his childhood, in the language of Solomon, "to fear God and keep his commandments is the whole duty of man;" that he reserved the right to determine for himself the constitutionality and the validity of the law in question.

A certified copy of the trial and conviction of the respondent and a copy of the questions by the Court, and the answers of the attorney, transcribed by the official reporter, were filed in the court and constitute the accusation. The record shows the conviction of the accused, and in view of the questions put to the defendant, and of the circumstances under which they were made, his evasive answers authorized the inference that he did not intend to obey in the future the law that he had violated in the past. Under the circumstances the Court entered a rule against the accused, and cited him to appear on a day named, and show cause why his name should not be stricken from the roll of attorneys and counselors of the Court. On the day named he appeared in person and by counsel, but made no answer other than by argument. Coun. et al. also appeared at the instance and in behalf of the Bar Association of Salt Lake City, and insisted on the accusation and on the disbarment of the accused.

The statutes of the Territory of Utah relating to the matter in hand so far as it is necessary to refer to them, are as follows: The first subdivision of Section 154, page 189, Laws of 1854, provides that "an attorney and counselor-at-law may be removed and suspended by the Supreme Court and by the District Court, 1st, upon his conviction of felony or misdemeanor involving moral turpitude, in which case the record of conviction is conclusive evidence;" 2d, upon "any violation of the oath taken by him or of his duties as such attorney and counselor." The first clause is Section 141, page 179, *Ibid.* provides: "It is the duty of an attorney and counselor, 1st, To support the Constitution and the laws of the United States, and of this Territory;" Section 156, page 181, *Ibid.*, is as follows: "The proceedings to remove or suspend an attorney and counselor under the first subdivision of Section 154 must be taken by the court on the receipt of a certified copy of the record of conviction. The proceedings under the second subdivision of the last named section may be taken by the court for matters within its knowledge or may be taken upon the information of another."

In view of the facts and the law, the question arises: Should the name of the accused be stricken from the roll of attorneys and counselors of this court? If the crime of unlawful cohabitation involves moral turpitude, his conviction of itself is sufficient cause. Is the conduct which constitutes the crime immoral? If a man lives with two or more women in the habit and repute of marriage, such conduct constitutes the crime of unlawful cohabitation. The effect of this crime upon society are essentially the same as those of polygamy. A man who has a lawful wife living commits the latter offense when he formally marries another woman, and he commits the former offense when he associates with two or more women as his husband, or apparently as his husband. Both crimes usually exist together in this Territory, although prosecution for polygamy is often barred by the statute of limitations. Assuming, then, that both crimes are essentially the same from the standpoint of morals, inasmuch as the definition of polygamy is more simple and better understood, I will consider that crime from a moral point of view.

First.—I assert that the moral sense of the civilized world has condemned polygamy as wrongful and immoral. Second.—I assert that polygamy violates well-settled moral principles. Knowing that the various ethical schools may differ in some respects, and that individuals may differ as to the extent of moral turpitude involved in this crime, I will point out certain well-settled moral rules or tests, which this crime violates, and which show that it is greatly immoral. While moral philosophers differ with respect to the

source of ethical rules, they do not disagree as to their existence, or as to their application to and binding effect upon human conduct. While one school of ethics asserts that moral truths are expressions of the Divine Will revealed in sacred writings or in the human conscience, and another school makes state enactments the source of right and wrong, and a third believes that man is endowed with an innate sense by which to determine right and wrong, and a fourth affirms that rightfulness or wrongfulness of conduct is determined from its effects, nevertheless, it is believed that all schools concede that conduct which, in all its consequences, immediate and mediate, aggregates human happiness over human pain; is right; and conduct which in all its effects, immediate and mediate, causes more human misery than happiness, is wrong. In entering the moral quality of conduct we take into view its effect, not only in this life, but in the life to come, still it is the belief of civilized men, who have faith in a future life that happiness in the future state is consistent with happiness in this—that the common good with respect to this world is consistent with the good in the world to come.

Assuming, then, that such relations and institutions promote human welfare are morally right, and that such actions as produce pain and distress are wrong; and assuming, also, that justice (which is equality) is right, I will endeavor to test by these rules the morality of the monogamic marriage (the marriage of one man to one woman) and the polygamic marriage (the marriage of one man to two or more women).

Whether we consider marriage in law simply as a contract, or as more than a contract—a status—a state or condition, it should fix the rights and duties of the parties with respect to each other. They are mutually bound to love, respect and cherish each other. It is a union for life or until severed by the force of law. All the duties of the husband which belong to the relation which the wife owes that relation are due to the husband. If the husband may neglect such duties and deprive his wife of the benefits and happiness which their discharge would bring; if he may divide his society, his attention and his support with other women; if he may thus neglect his wife and her children for the benefit of other women and their children, all the duties which belong to the relation, then marriage is for the wife an unequal and an unjust contract. And if the wife may refuse to discharge her obligations also, then this holy union of matrimony has no binding effect, and free love or promiscuity must follow. With the overthrow of the institution of marriage will come the destruction of the family and of the home, and that refuge of chastity, of purity and of virtue—that fountain of devotion, of love and of happiness, the institution which furnishes so largely the incentives to industry, to self-respect, to fidelity and to patriotism—the sure foundation of social order, of propriety and progress, and the corner-stone upon which all civilized and decent reposes, will inevitably be destroyed.

The great number of divorces obtained in the District and Probate Courts of this Territory, and the illegal divorces heretofore granted by the Mormon Church, show that the institution of marriage is regarded lightly where polygamy prevails. Under the statutes of this Territory divorces may be obtained for such trivial causes and have been so frequently granted, that the "Utah divorce" is a proverbial term of derision and contempt, and it must be so, since the tendency of polygamy is to make marriage a means of gratification of passion and bestial lust.

Again, polygamy is based upon the idea that woman is man's inferior, not his equal, and that she is to be regarded as his womanhood, her habits and her claims. The laws of the Territory abundantly illustrate this proposition. These laws with respect to the rights of married women to property, like the institution whose influence probably enacted them, probably belong to a bygone age; they are unworthy of this. Polygamy degrades woman into a creature, and results in her degradation; it tends to make her an object of low and groveling desires. Its tendency is backward and downward to the barbarism, where the monogamic marriage found her, with a yoke of oppression and injustice upon her, in the chains of slavery. Monogamy broke the yoke and loosed her chains and led her up the shining way of progress to the highest one of equality of man. In the darkness of barbarism and in the vales of superstition woman is a slave—in the light of intelligence and truth and on the hills of progress and civilization she is crowned with respect and love. She is man's equal before man and before God, and she is free.

She is composed of one husband and one wife and the children of that union are more likely to agree and cooperate than the family composed of one husband and many wives, and the children of such relations. The mother will be impartial and just between her own children, but she will not be so between her own and the children of other living wives, because she has not the same feelings and affections towards them. All the children of the monogamic marriage bear the same relation to both parents and to each other. The family is held by a common tie; all its members have equal feelings and affections, common hopes and aspirations, and good will, harmony and happiness are likely to prevail; but rivalries, animosities, dissensions, ill-will, discord and unkindness are likely to grow up and exist in a family composed of one husband and numerous wives and the children of such wives. Such a family includes all the elements of domestic discord. Superstition and fear may keep it down, but it will then become a smoldering fire, consuming the peace of the household.

The happiness and welfare of society demand that children, when growing up, shall have the care, attention, support, counsel, advice and example of the father as well as of the mother. The great mass of men are hardly able to provide for and bring up well one family of children. If a man attempt more, while the Christian world believes that the New Testament condemns polygamy, it also believes that infinite wisdom and goodness are manifested in nature; that the disposition of men and women to associate together and to form the relationship termed marriage is an expression in a natural law of the will of the Great Author. And the relative position of males to females is also believed to be an intimation in nature upon the subject of marriage. Polygamy were such an expression upon the subject of marriage, it is reasonable to

assume that it would have been so ordered that several females for each male would appear on the stage of human existence. And assuming the Great Author to be infinitely wise and infinitely good, why has woman been given in her highest state of development—in her best estate—a fond desire to be the only wife? Why has she that secret dread and inward horror of being one of many? Why has she a nature which abhors polygamy? Why is it that monogamy tends to produce harmony and happiness, and polygamy discord and pain? While instances of unhappiness and distress may attend the monogamic marriage, yet in all its effects, immediate and mediate, near and remote, it aggregates human happiness over unhappiness; it is a friend to humanity, and it is therefore morally right. And while some instances of happiness may attend polygamy, yet in all its effects, immediate and mediate, near and remote, it aggregates pain and distress. It is an enemy to humanity—it is morally wrong.

While immorality consists alone of wrong thoughts, beliefs, purposes and intentions, municipal law cannot reach it, but when those beliefs and intentions cause and attend actions and conduct which tend to society, if of sufficient importance, such conduct may be defined as crime, prohibited and punished. When the conduct and the intention both are immoral, the crime involves moral turpitude. The law does not notice trifles, and therefore does not expressly forbid conduct slightly wrong and immoral. Conduct may be injurious to society, but the injury may be so slight that the law will not notice it. And the immorality of some misdemeanors is so slight that the offense does not, in a legal sense, involve moral turpitude. This cannot be said of polygamy and of unlawful cohabitation. The injurious effects upon society of the conduct which constitute these crimes, are so wide-spread and far-reaching and so destructive of human happiness and of human welfare, that they cannot be characterized as trifles, and are, therefore, immoral. They involve moral turpitude in a high degree.

A second cause for striking the name of the accused from the roll of attorneys is the failure and refusal to support the Constitution and the laws of the United States. Any violation of the oath of an attorney or any violation of his duties as such attorney is cause for his disbarment. The duties of an attorney are enjoined upon an attorney by that supporting the Constitution and laws of the United States. The accused was convicted of a violation of the laws of the United States in the commission of the crime of unlawful cohabitation, and when asked by the court before sentence if he had anything further to say why sentence should not be pronounced, and also with respect to his intentions to obey the law which he had violated, and as to his intention with respect to advising others to violate it, he answered among other things that he differed from the courts in respect to the validity of the law against polygamy and unlawful cohabitation and that he reserved to himself the right to determine for himself the validity of that law. In delivering the opinion in the case of *ex parte* Wall, 107 United States S. C. Rep. 571, the Court said: "Of all classes and professions the lawyer is most sacredly bound to uphold the laws. He is their sworn servant and for him of all men in the world, to repudiate and override the laws, to trample them under foot and ignore the very hands of society argues recency to his position and office and sets a pernicious example to the insubordinate and dangerous elements of the body politic. It manifests a want of fidelity to the system of lawful government, which he has sworn to uphold and preserve."

Here is an officer of the Court who does not acknowledge its right to determine questions of law when submitted to it according to the forms of law. This man is licensed by the Court to expound the law and to advise others with respect to it—recommended and endorsed as having a good moral character and as competent, reliable and worthy as an attorney and counselor-at-law; and yet he claims the right to determine a law invalid which the tribunal of law has pronounced all a unced valid; he appeals to all earthly tribunals to a higher—he invokes a higher law. Having been convicted of a crime he defies the law, and denies the power of Congress to pass laws, and the rights of the courts to determine what the law is. He claims to be a law unto himself.

The judgment of the Court is that the name of the accused be stricken from the roll of attorneys and counselors-at-law of this Court, and that he be deprived of the right to practice therein. CHARLES S. ZANE, Judge. November 14, 1885.

FIRST CLASS work will always bring first class prices. That is what we are doing every day at THE HERALD Job Room. J. C. PARKER, Lessee.

Wanted Immediately.

A good Boiler Maker. None but a competent hand need apply to Robt. Croft, Superintendent, Salt Lake City Foundry and Manuf. Company.

EVERYBODY in want of a stylish wrap or Newmarket should not fail to examine our superb assortment. F. AUERBACH & Bro.

WHOLESALE Clothing Buyers can save at least 10 per cent by buying their goods at L. GOLDBERG'S.

SHILOH'S COUGH and Consumption Cure is sold by us on a guarantee. It cures Consumption. For sale at A. C. Smith & Co's Drug Store.

Fashionable Tailor. Jos. Bar, Garten, No. 111, Main street, makes up the finest and best fitting suits at prices to suit the times. He has just received a fine line of cloths of his own importation. Give him a call and be convinced.

From Europe. If you want to help your friends from any part of Europe, or go there yourself, buy your tickets where you can get the cheapest, which you can get by calling at J. A. Peterson, Merchant and Immigration Agent, No. 67 E. Third South Street, Salt Lake City, P. O. Box 324.

A SHOOTING SCRAPE.

Eight Shots Exchanged on Main Street Last Night.

ONE MAN IS BADLY WOUNDED.

And is Now at the Colorado House Under Arrest—Three Others in Jail.

A little after 12 o'clock last night a row occurred in Peacock's saloon on Second South Street, which resulted in the participants being thrown out. The chief movers in the rumpus were three strangers whose names were unknown. Shortly after their ejection the belligerents met Ollie Bess and two other young men, named Hill and Carter, on the Wasatch corner, and some hot words followed, with the result of one of the strangers pulling a pistol from his breast pocket and making a pass at Bess. The blow, however, was guarded off, and the fellows left. The matter of the assault was reported to the police. Soon after this, Bess, Carter and Hill walked down the street and in front of the Cliff House they again met the belligerent trio, one of whom immediately opened fire on them, firing two shots. Carter immediately commenced to return the compliment and emptied six chambers of a revolver at the man who did the shooting, with the effect, it is thought, of hitting him at least once, as he was seen to limp and exclaim: "I have got it." All three got away, however. Shortly afterwards one of them hired a hack from Mark McKimmins' stables, and on his return with it he was nabbed by the police. It is supposed that the hack was used for the purpose of carrying away the wounded man and also that he was accompanied by his two companions, as the one who returned to the stable had considerable blood on his clothes. The hackman did not know where the parties had gone; he claimed that he did not leave them at any house, but said he had left them on a street crossing several blocks away from town. At 3 o'clock this morning officers left the Hall with the intention of discovering the exact locality where the hack man claimed to have left the parties referred to.

LATER—The officers were successful in tracking their men, and found the two fellows at the Colorado House. One of them who were caught at the Colorado House and who gives the name of Tom Jones, was found to be very badly wounded, having been shot in the right thigh, the 44-cal. ball from Carter's pistol going entirely through his leg, and inflicting an injury wound from which he was suffering greatly at 4:30 this morning. He was left at the house, with a guard over him, as it was considered inadvisable to move him. His companion, however, was brought up to jail to join the man previously arrested. The two fellows jailed gave their names as James Norton and Ed. Hall, and it is said all three are from Montana. Carter was held on the charge of shooting Jones, and was also in jail at the time we went to press.

Further developments in this somewhat badly mixed case will doubtless come out in the Police Court to-morrow.

YESTERDAY'S FOOT RACE.

A Small Crowd of Spectators Badly Disappointed.

The foot race at Washington Square yesterday afternoon was pronounced by all present to be one of the greatest fizzes that they had ever witnessed. The first cause for complaint was the fact that while the races were advertised for 2 o'clock, not one of the participants appeared until nearly 3 o'clock and then instead of five as advertised only three of them were present. After a great deal of delay a start was made but for some reason or other the men stopped at the end of the first 100 yards and retired to the dressing room; and had it not been for the hard "kicking" of the spectators present the race would have ended there. After another delay, however, Reese and Tibbets again appeared upon the track, the other man, Mathias, having decided to give up, and another start was made. This time the race was finished, the two runners being about even at the end of the first and second hundred yards, and Tibbets coming in at the end of the 300 yards a few feet ahead.

The general impression was that there was not one cent put up by the backers of the men, that the entries were free and that the whole thing was a scheme to get gate money. The best cause for this impression was the indifference of the runners themselves and another suspicious circumstance was the fact that there was no judge at the end of the 200 yards, which according to the arrangements of the race was an absolute necessity.

A more disappointed crowd than those who paid the 50 cents entrance fee is seldom seen, and even the small boys, who climb and fence to avoid the formality of presenting their tickets at the gate, seemed thoroughly disgusted with themselves after being so badly "raked in."

All kinds of Blank Books made to order, and in the latest styles, at THE HERALD Bindery. "Don't forget it." J. C. PARKER, Lessee.

CATARRH CURED, health and sweet breath secured, by Shiloh's Catarrh Remedy. Price 50 cents. Nasal Injector free. For sale at A. C. Smith & Co's Drug Store.

Black and Colored Silks and Silk Velvets at very low prices. F. AUERBACH & Bro.

Lapham's Dress and Cloak House. Dress-making in all its branches. Special attention given to orders from the country. Orders filled on short notice. Ready-made Dresses kept on hand. Agent for McCall's Bazar Patterns. No. 42 W. First South Street.

Have reduced the price of photographs. All work done by the dry-plate instantaneous process. Reduction permanent. Fox & Symons.

Fox one week we will pay 15 cent each for empty coal oil cans. CULMERS BROS.

Examine the nobby styles in Fall Overcoats at L. GOLDBERG'S.

REDUCED PRICES IN Cloaks, New Markets and Russian Circulars, at C. M. DONOVAN & Co's.

Buy Pleasant Valley Coal From Clute, 143 S. Main Street, telephone 154.

COAL OIL and LAMPS cheap at Lamp Store, four doors west of the Theatre.

Hedberg & Fernstrom. We are making up fashionable suits at prices which defy competition. Call and see our new line of imported cloths.

ANOTHER LARGE shipment of Hosiery, Corsets, Ladies' and Children's Underwear just received at C. M. DONOVAN & Co's.

Gymnastics Attention. Leave your orders at Spencer & Kimball for your Athletic shoes and slippers. We make them to order for \$1.25, \$2.00, \$2.50. Call and see samples.

Gas Fixtures, at Little, Roudy & Co.

SENT OUT TO THE PEN.

And a Fine of \$150 and Costs Imposed.

The case of the contempt charges against Andrew Burt, who made matters so exceedingly tropical for Deputy Collin a few days ago, was taken up in the District Court yesterday at 10 a. m., and occupied the entire morning session. The prosecution introduced a cloud of witnesses, among whom were the deputy, Louis Bamberg, Herman Bamberger, Peter Tomney, Simon Woolf, Edward Elder, John W. Sprout, and Albert Sidney. The testimony of all of them, however, save the last one, elicited nothing, save what had heretofore been published. The evidence of Sidney was to the effect that he had noticed the light from across the street, and after Burt had been arrested he had gone to the City Hall, where he had heard Marshal Phillips say a term of parties present that he was sorry the budge had not let Burt punish Collin more severely.

The defense put the defendant on the stand. The testimony was almost identical to his answer to the complaint published yesterday morning. City Marshal Phillips, however, was placed on the stand to refute the testimony given by Sidney. He denied having used the language on the occasion referred to, and also said that he had knowledge of seeing Sidney on the day mentioned.

This closed the testimony for both sides, and the case was then argued by Mr. Varian for the prosecution and Mr. Kenner for the defense.

Judge Zane then summed up and sentenced Burt to a fine of \$150 and costs and imprisonment for a term of five days, and ordered that he was committed until such fine and costs be paid. Burt was taken out to the Penitentiary yesterday afternoon.

The testimony of the fellow Sidney in the above case caused considerable comment on the streets yesterday afternoon. Inquiry at the City Hall found no one who had ever seen him there, and the officers on duty at the time of Burt's arrest disclaim the idea that Sidney had been there. The general opinion among the officials was that this witness had deliberately perjured himself, and it is now understood to be more than likely that proceedings looking to his punishment for that crime will be commenced against him.

COMMISSIONS ISSUED.

How the Governor Earned His Saturday's Salary.

The following commissions were issued yesterday:

O. O. Stoddard, Justice of the Peace Canyon Creek, Morgan County.

James Gardner, Justice of the Peace Goshen, Utah County.

M. C. Vorse, Justice of the Peace Woodruff Rich County.

J. B. Henry, Constable, Ashley, Utah County.

Neil D. Forsyth, Selectman, Washington County.

John W. Platt, Constable, Pinte, Washington County.

Christian Larsen, Justice of the Peace, Springdale, Washington County.

H. Jolley, Sheriff, Kane County.

Home A. Borton, Superintendent of District Schools for Kane County.

John S. Carpenter, Justice of the Peace, Glendale, Kane County.

Willard D. Cranney, Constable Logan Cache County.

Thomas E. Titensor, Justice of the Peace, Coverille, Cache County.

Charles Mangelson, Constable, Lem, Juab County.

James Jensen, Constable, Mona, Juab County.

H. W. Hardey, Justice of the Peace, Levan, Juab County.

Charles Rysenars, Justice of the Peace, Redmond, Sevier County.

W. A. Warnock, Justice of the Peace, Monroe, Sevier County.

S. F. Halversen, Justice of the Peace, Marriot, Weber County.

Thomas Wallace, appointed Selectman to fill the vacancy in Weber County.

COME FORWARD everybody, and patronize THE HERALD Job Department as it is the best Job Office in the city. J. C. PARKER, Lessee.

If you are troubled with a Cough, Cold or Hoarseness, try the Valley-Lake Cough Cordial. It is the purest and best in the market.

Three Carloads of Chairs Bought at bedrock figures before the advance in prices, just received and for sale, wholesale and retail, by Co-op. FURNITURE STORE, Opposite Valley House.

Have reduced the price of photographs. All work done by the dry-plate instantaneous process. Reduction permanent. Fox & Symons.

Fox one week we will pay 15 cent each for empty coal oil cans. CULMERS BROS.

Examine the nobby styles in Fall Overcoats at L. GOLDBERG'S.

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