

Hon. W. H. Clagett, Col. W. L. Irvine and W. A. Clark, Esq., were elected a committee of correspondence, to report to a called meeting.

The following resolutions were adopted by the meeting—

"Resolved, That this meeting call a Public Meeting at the Court House in Deer Lodge, and that a committee of five persons be now appointed to draft resolutions embodying the sense of this meeting on the questions under consideration for submission to said Public Meeting. Messrs. Hiram Knowles, W. L. Irvine, W. H. Clagett, Granville Stuart and W. H. Weimar were appointed on said committee, and, on motion, Mr. W. A. Clark was added thereto.

"Resolved, That a call to the people of Deer Lodge county be published in the next issue of the *New North-West* inviting them to attend a Public Meeting in the Court House at noon on Saturday, March 6th, 1875, for the purpose of a full discussion of railroad matters and for the adoption of some policy in relation thereto."

HATCHING OUT.—The *Denver Democrat* of March 2d, thus adverts to grasshopper progress in that section—

"One of our subscribers from Clear Creek, and a reliable gentleman, says that the grasshoppers, hatching out, and by millions, were seen on the sunny slopes which border that stream. The warm days of last week, when the thermometer was up as high as 70 and 80 in the sun, brought out the embryo pests and they were hopping about at a lively rate in numbers that would astonish an Egyptian on the banks of the Nile. This being the case, and the deep snow of Sunday coming immediately after will be the fruitful means of annihilating and drowning them out before they reach that size which will blight the crops of the next summer."

THAT CONTEMPT AND DISBARMENT CASE.—A short time ago we published an order of Judge Borman, of the Second Judicial District Court, citing Messrs. Sutherland and Bates to answer and show cause why they should not be punished for contempt and disbarred from practicing in that District Court, for certain acts related, and we presented the law of Utah on the subject of contempt. Here is the U. S. law upon the same offense—

"1st—Where there has been misbehavior of a person in the presence of the courts, or so near thereto as to obstruct the administration of justice; 2d—where there has been misbehavior of any officer of the courts in his official transactions; and 3rd where there has been disobedience or resistance by any officer, party, juror, witness or other person, to any lawful writ, process, order, rule, decree or command of the courts."

It is difficult to understand how, either by U. S. or territorial law, the above named attorneys can be punished for contempt in presenting certain proposals to the judge, by letter, from certain citizens and clients who believe themselves under indictment in that court.

Further, Mr. Bates is empowered by the Supreme Court of the United States to practise in any U. S. court in the Union, and by the Supreme Court of Utah to practise in any court in this Territory.

How, therefore, the judge of the Second District can legally declare null and void the action of these two superior courts remains to be seen.

In regard to disbarment for contempt, the Supreme Court of the United States has decided that an attorney cannot be disbarred for contempt.

While it is incumbent on an attorney to treat the Court with civility and respect, yet it seems also right that there should be some restrictions to the discretionary power of the bench in the matters of charging and punishing for contempt of an attorney, and of disbaring him. Otherwise, an

irritable judge—for judges are but mortal—in a moment of pique or angry wantonness, might suddenly punish for contempt or disbar any attorney whom, for possibly personal or party purposes, it might be to his advantage to be rid of, and thus the course of justice might be seriously obstructed in the very halls of justice.

WANTS IT BY THE MISSOURI.—A correspondent of the *Helena Independent* proposes, as preferable to railroad connection with Utah and the Central and Union Pacific, the construction of a narrow gauge railroad from some point on the Missouri river, as Carroll, or the mouth of the Mescalshell, to Helena, with a branch to Bozeman to accommodate visitors to the Yellowstone National Park, which would give Montanians communication, through the Missouri river, with the Northern Pacific railroad and the Eastern States seven months in the year, or from the first of April to the first of November. The advantages of this route are thus set forth—

"1st. It is within the reach of the people of Eastern Montana.

"2d. It is the shortest and cheapest route for the shipment of our ores and other productions out of the country, and the importation of most of our supplies and heavy freights.

"3d. Every mile of the road is within our own Territory, and not subject to tribute by way of taxation to any other commonwealth.

"4th. It opens up to settlement the rich valleys of the Judith, Mescalshell and Yellowstone, and their numerous small tributaries. Settlements will be made and towns spring up along its line, so that at no distant day the way trade and travel alone will pay a handsome profit over running expenses.

"5th. If, in the fullness of time, the necessities of the Territory require better railroad facilities, we can connect ourselves with the Northern Pacific at Bismarck by a narrow-gauge via the mouth of Powder river, and this road for the greater portion of its length will be so much of a Bismarck road completed.

"6th. Such a road would be of more value to your city, and in short to all Eastern Montana, than any other we could at present construct."

SAGEBRUSH SOLONS RAMPANT.—There was a "high time" in the House of Representatives of the Nevada Legislature on the 4th of March. A decision of the chair, that a two-thirds vote was necessary to the consideration of an appropriation bill, raised the wildest confusion. Hogan said no Speaker should thus set at naught all the principles of decency and justice, announced his intention of keeping the floor all day, and defied the Speaker to order him arrested. The Speaker ordered him arrested, when Hogan demanded the authority of the Sergeant-at-arms to do it, daring the officer to lay hands on him till he had produced the same. This the Sergeant-at-arms failed to do, and Hogan retained the floor. Confusion ensued and the House adjourned, reassembling an hour and a half later, when business recommenced with the following result—

"A scene followed which defies all description. Democrats, Independents and Republicans all were hallooing at the top of their voices. After a little of the noise had subsided Bergstein rose and raised a point of order that a two-thirds vote was necessary before the bill could be discussed.

"The Speaker decided against him.

"Messrs. Jones, Comins and Van Syckle, with the assistance of the Sergeant-at-Arms, advanced and took their places by the side of the Clerk, discussion still proceeding.

"Mr. Wren, after some further remarks, demanded that the roll-call should proceed.

"Mr. Hogan said that the majority might make up their minds that no roll should be called. [Cries of 'Call the roll.']

"Mr. Dow then declared that no question had been properly put.

"The roll was called amid shouting and hooting, and the clerk recorded the names of all the republicans as voting aye, notwithstanding that not one voice could be heard.

"The Speaker announced that 32 had voted aye and one no, and declared the appropriation bill passed amid another scene of hooting and cursing."

COLORADO REJOICING.—The Colorado people are in high glee at their admission in the Union as a State, or rather the passage by Congress of an enabling bill to that effect. The *Denver Democrat* says—

"The people of this territory can now feel that they are on an equal footing with their sister States, and are relieved of the carpet-bag bondage which has so long ruled and almost ruined our fair Territory. Colorado is one of the wealthiest States of the Union, and when it is governed by men who understand the wants and requirements of the people, its future cannot fail to be a glorious one. Our immense mountains of gold, silver, copper, iron and other precious metals, will now be developed more fully, and the boundless plains that sustain millions of cattle and sheep, and will contain millions more. There is room for all who may come to our borders, and now that we are a State, we can offer greater inducements to those who desire to make this delightful country their home."

We congratulate our Colorado neighbors upon their early emancipation from territorial serfdom, and wish the new State all success and prosperity.

PRAYER AND PERSEVERANCE.—An exchange says—

"Mrs. Jepson, who lectures in and around Boston, was born deaf and dumb. From girlhood she has gradually acquired the faculty of hearing and speaking, until now there are only a few letters which she can not utter distinctly. She says the result has been attained by persistent prayer. She is now at work on S, and, by praying two hours a day, expects to be able to pronounce it some time in the spring."

Local and Other Matters.

FROM TUESDAY'S DAILY, MAR. 9.

New Paper at Pioche.—The following comes per *Deseret Telegraph* line—

"Pioche, 9.—The first number of the *Daily Journal* was issued this morning, Jones & Murray, proprietors."

Grey Slate.—Mr. Jeremiah Gibson brought to us to-day some specimens of grey slate, which he, with James R. Shaw, found four or five miles from this City. There is a good road to the bed, and the specimens have been pronounced of good quality.

In the East.—By courtesy of Brother Geo. C. Riser, we have been enabled to peruse a letter to him from Elder H. J. Hill, now on a mission in the eastern States. The communication is dated Indianapolis, Ind., and gives some account of his missionary labors, the result of which are in many respects encouraging. It describes the suffering among the poorer classes in the East as very great on account of the exceedingly hard times.

Concert at Tooele.—From our correspondent, "Rural," we have received the programme of a concert, given in Tooele City last evening, by Miss Clara Hill and T. Croft, sen. The programme comprises vocal and instrumental music, the former including comic and sentimental songs, the latter overtures, waltzes, &c., by brass and string bands; during the evening the audience was amused with several choice recitations. "Rural" says the affair was a success in every way, and would have been no disgrace to towns of larger pretensions and population than Tooele. The same artists intend giving another concert, with change of programme, on the 15th inst.

Principal vocalist and pianist, Miss C. Hill; organist, Miss M.

Warburton; conductor, Mr. T. Croft.

A Veteran Departed.—A dispatch last evening, from Bellevue, Kane County, brought the intelligence that Elder Joseph S. Scofield, a staunch veteran in the Latter-day work, departed this life at a quarter past 11 o'clock yesterday. Elder Scofield had been laboring for a considerable time on the St. George Temple, having had the supervision of the carpenter department of that structure. As had been previously stated in the *News*, he was on his way home to this city a few days ago, when he was overtaken with so severe an illness that he had to remain at Bellevue, being unable to proceed further.

The deceased was widely known among the people of this Territory, and leaves behind him many lasting kindly remembrances in the hearts of his numerous friends. He was a firm advocate and defender of the principles of truth.

He was one of the pioneers of this valley, being one of the few earliest settlers, who came here in 1847. He was a most excellent workman, and his skill and ability had been for many years devoted to the service of the Church, of which he was an unfaltering member, and it is no small part in the programme of his useful life record that the last energies of his earthly existence were devoted, even until within a few days of his demise, to the worthy object of assisting to erect a Temple to the name of the Lord.

The body of deceased was packed in ice and is on the way to this city for interment, in charge of Brother Scofield's two sons and his son-in-law, who were with him when he died.

District Court Proceedings To-day.—The jury in the case of C. C. Eddy vs. Humphrey Rogers, Mathews interpleader, brought in a verdict for plaintiff for balance unpaid on a promissory note made and executed by defendant.

Stringfellow et al. vs. Cain et al., application for a restraining order, pending application for an injunction to restrain defendants from tearing down a certain wall, belonging to defendants, and upon which a building claimed by plaintiffs on the north side rests. The Court ordered that the defendants be allowed to go on with the building improvements alluded to in the papers, and that they, however, use due precautions with a view to doing as little damage as possible to the plaintiffs.

The jury case of Kate Flint vs. Jeter Clinton et al. was called and counsel on both sides announced that they were ready. Robertson, Morgan and McBride for plaintiff and Snow, Sutherland and Bates for defendants.

The following were drawn as a petit jury to try the case—

Charles Ellis, Geo. M. Ottinger, S. F. Nuckolls, George E. Bourne, H. T. Shurliff, De Witt C. Thompson, Joseph Seigel, Daniel Cram, Wm. Naylor, E. B. Callahan, Robert Camm, A. W. Davis.

Judge Sutherland interposed a challenge to the array of the jury, the first ground of which being that the Clerk of the Third District and the Probate Judge of Salt Lake County did not, as the law provides, on the 1st day of January, 1875, select the names of 200 male citizens of the United States, to serve as jurors, some of those drawn being aliens, and subsequently naturalized.

The second ground was that more than the legally required number of the names on the list were drawn as grand jurors, leaving a lesser number in the box to be drawn as petit jurors than required by law.

Mr. McBride demurred to the challenge; demurrer sustained. Defendants excepted.

The jury were then sworn on their *voire dire*.

Mr. McBride read an affidavit purporting to have been made by the plaintiff, Kate Flint, in which she set forth that the defendants are members of an organization known as the Church of Jesus Christ of Latter day Saints, that the members of that association consider themselves under obligations to sustain their brethren, their allegiance to the principles of the association being considered by its members superior to that they owe to any other organization, or to the laws of the land; that Jeter Clinton, the party who issued the writ of abatement ordering the

destruction of plaintiff's property, is an elder in the church named, and that the affiant is not, but has, she believes, incurred the displeasure of the said Church organization, and therefore she prays that any person being a member of the Church named be deemed by the court sufficient cause for challenge, and disqualify him from sitting as a juror in the case wherein she is plaintiff and Jeter Clinton et al. defendants.

Mr. Sutherland objected to the filing of the affidavit, and stated that it should not have been read, as it had never been served on the defendant's counsel, and they were therefore not prepared to answer. He read the law prescribing what constitutes disqualifications in a juror. He said that the other side presumed that the parties were prejudiced beforehand, and that the counsel were seeking to prejudice "Mormons" generally. The affidavit was not proof to establish the bias of jurors; it was not proof qualified by law, and was not entitled to be received and considered in that connection.

The Court overruled the objection to the filing of the affidavit; defendants excepted.

Mr. McBride said that the affidavit was merely to pave the way to the interposing of challenges, on account of jurors belonging to the "Mormon" Church.

Charles Ellis was the first juror catechized by Mr. McBride. The first questions were in the usual form, until the juror was asked if he was "a member of the Mormon Church."

Mr. Sutherland objected, on the ground that there was nothing before the Court to show that that question would lead to a determination as to the qualifications of a juror.

The Court overruled the objection, and he question was allowed.

Mr. Ellis said he was not a "Mormon."

He was next asked whether, if it should be developed in the course of the trial that the plaintiff whose property was destroyed was the keeper of a house of ill fame, he would be willing to give an impartial verdict in her favor, should the law and evidence so warrant.

Mr. Sutherland objected, on the ground that it seemed that the counsel appeared to stand upon the premature proposition that the repugnance of a juror to a trade like that mentioned was sufficient for a disqualification.

Objection sustained; plaintiff excepted.

Mr. McBride, to Mr. Ellis—"Would you consider yourself bound by the law in the case as delivered to you by the Court?"

Objected to by the other side. Objection overruled; defendants excepted.

Mr. Ellis was accepted by both sides, the defense putting no questions to him.

Geo. M. Ottinger was the next juror examined. In answer to questions by Mr. McBride he said he had no bias for or against the plaintiff or any of the defendants; he was acquainted with most of the defendants, and was brother-in-law to one of the latter, John D. T. McAllister.

The plaintiff did not challenge the juror, however, on the ground of the latter's relationship to one of the parties defendant.

"Are you a member of the Mormon church?" said Mr. McBride.

"Yes," was the answer.

Mr. McBride challenged the juror because he was a member of the "Mormon" church. Before the challenge was disposed of the Court took a recess for one hour.

SALE OF JERSEY CATTLE.—IMMENSE PRICES.—At a recent sale of Jersey cattle, at Hargrave Park, in England, fifty-two head brought the following prices, the largest we believe, ever paid for this particular breed: Cows and heifers—Ducky, 3 years old, 255 guineas, Duke of Bedford; Lightsome, 20 months old, 255 guineas, Mr. H. Jenkins; Duchess, nearly 7 years old, 215 guineas, Col. Wilson; Milkmaid, nearly 8 years old, 155 guineas, Mr. Sharpless, Philadelphia. The eighteen cows sold reached the extraordinary average of £90 16s. 6d. The bull Banboy was sold to Captain Fairman for 52 guineas, and the two-year-old bull Ducal brought 46 guineas.

Anna E. Dickinson is lecturing at New York. Subject, "A Woman's Opinion of It." "It" means the social evil.