THE EVENING NEWS. UBLISARD DAILY, SUNDAYS SICSPIED AT FOUR O'CLOCK. Monday, . . March 10, 1874. DAVID O. CALDER,

BOITOR AND PUBLISHER.

## NEWS OF THE DAY.

JUDGE DENT, of Washington, brother of Mrs. Grant, is reported to be at the point of death with tumor in the stomach.

"Fifteen hundred dollars salvage has been awarded by the Courts, to the fishermen of Prospect, who rescued the survivors of the steamer Atlantic, wrecked last spring.

A daring burglary and act of in cendiarism was committed three or four nights ago at Woodbridge, Canada. Burglars entered the office of the works of a large manufacturing company there, blew open the safe, took its contents and then set fire to the building; the damage done amounted to two hundred thousand dollars, and threw a hundred men out of employment.

The municipal authorities of Philadelphia seem to be rather weak kneed on the temperance question: the Sunday saloon closing ordinance is to be enforced, and orders were given to that effect; but numbers disobeyed the order, doing considerable side-door business. This latter branch of the business is be "winked at," and the flagrant violators only are to be punished.

Heavy storms in the mountains west; John Ellis, a deputy sheriff) supposed to be frozen to death.

Prince Bismarck is said to be improving.

The Highlanders, the last of the troops against the Ashantees to

Hyde Park, London, yesterday, and

Louis Napoleon is twenty-one years troy one hundred and thirty thousold ta-day, and festivities in honor of his majority are being held at have been nearer the mark.

ties or any way he legally can, and dispose of those cases. He says the United States are a party in some of those cases. That is nothing to the matter. Nobody that our courts and juries act justly Kean." asks him to try U. S. cases in a ligious bias. Our religion teaches to find court for a county. He says there honesty and justice; and I am

are 400 violations of the revenue laws. What if there were 4,000? They are U. S. cases, and those cases have nothing to do with a court for the county, or the Terri-

courts for a county would be for offences against the Territorial laws committed in the county. If there are no ne of those on the

docket, of course there is no necessity for his Honor holding court for

His Honor says the term of the District Court is pending. Of course it is, and the way he con- law, of the action of our Probate ducts things he always will have a Courts, accusing the Legislature of term pending, from now till Doomsday, for one term will pend till

Correspondence. UTAH AND THE MORMONS. LETTER IV.

Editor Descret News:

Having examined the prominent

tale.

items, in those congressional bills, proposing special legislation for Utah, and exhibited the unjust, anti-republican, oppressive and unconstitutional measures proposed in their provisions; it may be well now to examine the reasons alleged for this extravagant and suicidal tion of the laws in Utah, and for other purposes." What these other purposes are does not appear; and we are therefore left to draw our own conclusions from the tenor of leave Africa, have reached St. Vin- the bills themselves. Now if they had stated honestly that their ob ject was to aid a small unprincipled Twenty thousand persons met in junta, or ring, in breaking up all legitimate rule; in destroying reheld a peaceable meeting in favor of Fenian amnesty: The son of the late Emperor for three or four federal officials to disfranchise, rob, plunder, and des-

lower court, while seven decisions pus by Judge Hawley, Sept. 5, 1873, prisoner had left at Deer Creek, are against the city. I feel prond to see a record like with running billiard tables with-he above for while it gives the seven the seven the seven the seven the seven decisions pus by Judge Hawley, Sept. 5, 1873, prisoner had left at Deer Creek, which had been used by him as leggings, were the same as the mislower court, while seven decisions the above; for while it gives the out license, fined \$100; discharged sing man was mending the evening lie flatly to our defamers, it proves on habeas corput by Judge Mc- before he left. He identified them

great deal rather trust you now assist them. But then these par- W. Maxwell.

torial work in a district court. The

could say as much for them. A memorial has been gotten up o Congress, called "A Lawyers' Memorial, complaining of our jury

another takes up the wondrous Beaty, M. A. Carter, Albert Hagan, Dennis J. Toohy, Saml. A. Merrit, Thomas Marshall, Jonathan C. Royle, W. W. Woods, Geo. Venable Smith, Reuben H. Robertson, C.

W. Bennett, C. H. Morgan, Sol. P.

dermen, as a valid exercise of Do these gentlemen know that in power. This exception is also answered by the maxim of legal construction, Det minimis non curat lex. Gov. Woods? Are they aware which excludes mere nominal and immaterial objections. Finally it is negatived by the implied sanction of Congress for more than five years. The judgment of the Probate course of proceeding. These bills which the Organic Act empowers The fladgment of the Probate profess to be "In aid of the execuaffirmed.

Chief Justice Titus had no spe cial political object to serve; but simply acted as an honest judge in his veto message, "That there has not been a jury impanneled in this Territory for more than three years, where a verdict could have been where a verdict could have been there has under the where a verdict could have been there has under the there has a not been ings (except this of Chief Justice Titus) should ALL be in favor of violators of laws? How does this presented, by Mr. Snow, Territorial compare with the above quotations presented, by Mr. Snow, Territorial Attorney, to the Legislature for the payment of a Grand and Petit Jury and for the expenses of a court held in Beaver County by Associate Justice Boreman? Are they aware that Associate Justice Emerson that Associate Justice Emerson presented his views to the Legisla-

> "The following Delsons

> > "March 22, 1871, George H. Gra-

"August 31, 1871, Joseph Mur-

"November 6, 1871, Charles H.

"November 6, 1871, Jerry Crow-ley, grand larceny. "January 9, 1872, Thomas Butter-

wood, passing counterfeit money. "January 12, 1872, Charles Bur-gess, grand larceny. "January 29, 1872, A. C. Bernard,

receiving stelen goods. "March 13, 1872, Samuel Nickens, assault and intent to kill.

"April 15, 1872, Joseph Silver,

"April 17, 1872, Charles Marrion,

grand larceny. "April 18, 1872, John Dowd, grand

"July 9, 1873, W. M. Sullivan,

May 24, 1872, John W. Fagan, as-

are true and correct. [Signed] "ANDREW BURT.

Does the above need any com-

ter evenhanded justice to "Mormon" and non-"Mormon." The U.

It is a sorry thing to have to pres-ent such a record of any of our fede-ral courts, and individually I would rather it hid slept in eternal oblivion; but w' on the citizens of this Torritory and contractions

this Territory and our Territorial

Chief of Police.'

phy, gambling. "November 6, 1871, James Lewis,

ham, seduction and rape. "June 29, 1871, John Spiker, as-

sault with intent to kill.

Marrion, grand larceny.

assaulting an officer.

larceny.

murder

by some sewing on the bands, which

and are not influenced by any re-ligious bias. Our religion teaches honesty and justice; and I am pleased to see it so fully carried out, and let me say to my brethren, that while you pursue an honorable, upright course you need not fear upright course you need not fear gislation. If persons are at a loss the smelter, Forest City. Had seen defamation. These men would a to hunt them out, I may be able to the boys, but not the mail carrier,

than one another. Mr. R. N. Baskin, oue of the said memoria-ists, who is well known to be a prime mover in the clamor for spe-cial legislation for Utah, testified It may be said that Justices Haw-ley and McKean had a right to av-

cial legislation for Utab, testined before the Congressional House Committee on Territories, June 21, 1870, as follows: "For five years past cial capacity about the legality of upon him, as he never had been to sity for his Honor holding court for a county. But he does not give this as a reason for his refusal. If the six days in each district If the six days in each district If the six days in each district for Congress to act upon, But we do not hear that Congress has been informed of this impediment. The judge probably never thought of it before. Here in the strict of the sw, much to my surprise, the jury Ladge probably never thought of it before. Here in the strict of the sw memorial has been gotten up have been a resident in Utah, and the city ordinance which imposed the smelter, as he expressed.

things to stand forth so prominent-ly as the friend and protector of about going to Forest City. As he was seeking labor, he did not want law-breakers.

Peace; their qualifications, powers and jurisdiction are identical with those of Justices of the Peace. In most, if not all cities of the Union, Aldermen are ipso facto Justices o

the Peace. The most comprehen-**Our Country Contemporaries** sive analogy, therefore, requires us to regard the act creating these Al-

Provo Times, Mar. 13-

The man who was arrested a few days ago by the name of Wm. Burton, for the supposed murder of C. Van Wambecks, in American Fork Canyon, on the 12th day of Feb., 1874, was yesterday taken over to American Fork City by Deputy Sheriff John W. Turner and Joseph Hyde. An examina-tion was held before John Hindley, J. P., which resulted in the prisoner being committed to appear be-fore the Probate Court of Utah Co.,

d1871m

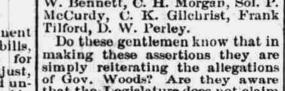
Ogden Junction, Mar. 14.

A certain saloon-keeper anticipat ing a visit from the female crusaders, yesterday, caught twenty or more cats, which he proposed to turn loose in his place, when the praying ladies should honor his pre-

on Monday, March 30, 1874, at ten

mises with a call. Parties are traveling along the MALTSTERS railroad lines engaged in the business of circulating counterfeit money on a large scale. Many of the





making these assertions they are simply reiterating the allegations that the Legislature does not claim "original jurisdiction" for Probate Courts, under the Organic Act; but under an act of the Legislature which the Organic Act empowers

a few days after his Excellency, Gov. Woods, made that very singu-lar statement to the Legislature, in laws now in force," that a bill was

ladies to correct; but the plot thickens as we proceed. I again quote

grand larceny.

Chief Justice Titus, in the Tier- witness to think him a bilk. Sought Courts, accusing the Legislature of dereliction of duty, and calling for special legislation. The following are their names: J. H. Rosborough, Robt.N. Bask-in, Wm. P. Appleby, John R. Mc-Bride, J. E. Hemmingray, W. W. Gee, W. Haydon, Geo. E. Whitney, S. DeWolf, W. C. Hall, James H. Beaty, M. A. Carter, Albert Herror

Chiselhurst, England. Five thousand tickets have been issued to guests

says the slaves on the sugar plantations, in the district of Marct, have risen against their masters.

A wretch, named Owen Morgan living in New York, threw a lighted kerosene lamp at his wife, on Saturday night, which set fire to her and burned her so badly that she died yesterday morning.

COURTS FOR COUNTIES.

In another part of to-day's NEWS will be found a letter from Chief "Mormons" and dissenters, sixty-Justice McKean to the Clerk of the two of them out of the eighty-four, Justice McKean to the Clerk of the Third District Court, concerning plaintiffs. It also plainly demonholding courts in and for counties. strates that the administration of

It appears that the Clerk invited justice in this court, is not affected his Honor's attention to the law and to the action of the Salt Lake County Court appropriating means for the holding of court in aud for this county, the Clerk desiring in-

the first time that any county in the Territory has done such a thing. That is nothing whatever to the purpose. It is not relevant. If the Chief Justice had done his If the Chief Justice had done his duty and held District Court ac-cording to law, and dispatched business with reasonable prompt-ness, the County Court might not have done anything of the kind now, simply because there would have been no special necessity for

As our Territorial courts are es-pecially aimed at in those bills, I propose to examine the action of they know that a new jury bill was our courts and compare it with As our Territorial courts are es our courts, and compare it with

also introduced and passed, with a not, to my knowledge, been called that of theirs; and exhibit, from view to meet these very com- to answer-The latest news from Havana authentic data, how far their alleplaints; and that this bill was also gations are sustained by facts. vetoed? Do they know that in the

I have before me a transcript, from the records of the Probate case of Englebrecht the Supreme Court of the United States sustain Court of Salt Lake County, under the signature of D. Bockholt, clerk ed our jury system and that Chie Justice McKean, himself, acknow of said court, appended to which is his certificate and seal, wherein there is an exhibit of eighty-four ledged that he "had been wrong in ho'ding that the Legislature had not the right to create the office,"viz., that of Territorial Marshal, which civil cases which have been adjudiwas the great question in dispute, in regard to obtaining a legal jury? And do they know that the Su-preme Court of the United States cated before that tribunal, and in which there is not a particle of evidence to show that the jurisdiction given to the Probate Courts has been productive of any injury or inn the Snow case has decided that justice, to "Mormons" or non-'there is necessarily no conflict be "Mormons;" and these cases clearly show an unbounded confidence 1eposed in the Probate Courts by non-

tween the Organic Act and Terri-torial laws?" Mest of these are professional gentlemen, and I submit that they ought to be acquaint-ed with these facts before making such assertions. If, as stated by Justice Bradley, of the United States Supreme Court, "There is necessarily no conflict," the conflict by the religious status of the par-ties litigant; for of the eighty-four must be unneccessary. The Legis-lature has done all it could to remedy the alleged evil. The Governor will not have it remedied, having vetoed every measure pass-

declines to hold a court in and for this county. Of course he gives his reasons. They are in this letter to the "Clerk of his own District Court, which letter is a very pretty it of special pleading. The judge complains that the these records, perhaps the records themselves, while they prove other lawlessness, drunkenness and lasciv facts, may be as good an answer to them as need be adduced. iousness, and shielding crime.

am sorry to have to make such an I find a case among the number, expose, but am necessarily obliged to show the contrast in the vindiof Walker Bros., formerly "Mor-mons," (of whom Joseph R. Walk-er, chairman of the memorialists, is cation of right. In England they have their Blue Hook. I am afraid

are passed by them ar

bank notes. A passenger on the Union Pacific train coming west, loaned a fellow-traveler on the way, ten dollars for accommodation, and took his val-ise as security. As the owner did not appear to reclaim his property, the value was one and to be the beld the valise was opened by the holder, and it was found to contain a quantity of yellow-covered publiations, including several thousand isreputable circulars and someelectrotype plate pictures.

A family party of five persons, accompanied by a friend named Graham, who had been boarding and lodging with them at Lehi, arrived in this city yesterday after-noon. The head of the family was in debt to a considerable amount, and when he left Lehi he was prevailed upon by Graham to exe-cute in his favor a bill of sale of the team and wagon in which they were traveling together. This morning Graham notified his host, that he was going away and would take the team with him, producing at the same time a bill of sale. The liege lord and head of the family May 24, 1872, John W. Fagan, as-saulting an office.. "I hereby certify that the with-in and foregoing abstracts from the Police Record of Salt Lake City are true and correct." follow the team, and off went the betrayer and the wayward wife to parts unknown. The abandoned

team Boilers and Sheet Iron Work, Cir-cular, Muley and Sash Saw Mills, Grist Mills, Grist Mill Machinery, Shafting and Pulleys, Quartz Mills and Grushers, Gas Works Machinery, etc., etc., etc. spouse was left behind with the ment? Territorial courts adminis-ter evenhanded justice to "Mor- the woman taking away the Corner Main and Mullanphy Streets,

S. court appears as the protector and defender of the crimes of rape and seduction, of gamblers, thieves, NEW ADVERTISEMENTS. counterfeiters, perjurers, of violent men and murderers.

youngest.

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