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News Items by Eastern Mail.

The Eastern Mail arrived on Monday, about noon; by it New York and other eastern dates to February 22d were received, from which a few items are gleaned, which although not of as much interest as the secession of a State, we insert for what they may be worth.

Sad tales continue to be told about the sufferings of the people in Kansas. Whole families are reported to have died from hunger, nakedness and cold, and assertions are made that if relief is not continued the number of such deaths will be fearfully augmented. It is said that the Western States have freely given grain and provisions, but New York has, and must continue, to furnish money for sacks and transportation, and that ten thousand dollars per week were needed to place the food and clothing within reach of the famishing sufferers.

Two hundred thousand dollars are asked for to supply the country with seed wheat, corn, etc., which it was thought would be appropriated by the Legislatures of friendly States. If that amount shall be raised, and the seed grain provided, Kansas thereafter, it is expected will be self-sustaining, because Gov. Sam Medary says, that the crops in that State are sure to be good the coming summer.

A man from Hunter county, in the southwestern part of the State some two hundred miles from Atchison, reported there on the 13th of February, that the winter had been extremely severe; snow had fallen to the depth of eighteen inches on a level; the cold had been intense, and stock of all descriptions was dying with great rapidity. His tale of woe was concluded by an earnest appeal for help, as the starving inhabitants were compelled to make their meals alone on buffalo meat. The Osage Indians had attacked a party of the settlers who were hunting wolves for their skins, and killed two of their number.

That there is much suffering among the people of Kansas, there can be no doubt, but it can hardly be true, that after all that has been done to relieve their wants, that whole families have died for the want of the necessities of life. There must be some speculation connected with the supplying machinery.

The chief and warriors of the Atoe Indians arrived at Nebraska city on the evening of Feb. 19, and made a peremptory demand for the payment of their annuity due in November last, stating that their women and children were starving, and that their payment they would have, "peaceably, if it could be got in that way, but if not forcibly." The agent took what money he had and secreted it. A meeting of the citizens was held for the purpose of taking measures for self-defense, if necessary.

As late as to the 12th of Feb., it is reported that South Carolina Postmasters were still ordering stamps for their offices. A Postmaster who had been called on to say whether he considered himself bound to make returns to the Federal government, replied in violent language, adding that when he ordered an article he expected to pay, but that he didn't care a d—n whether stamps were sent or not.

On Monday the 11th, a messenger arrived in Washington from Pensacola, having dispatches to the Government. He stated that when the state troops became aware that the Brooklyn and other war steamers had been sent there, they were not so anxious for fight; and, after consultation, withdrew. There was no flag of truce, because there were no hostilities. The Brooklyn had landed provisions at Fort Pickens, and was laying off the fort.

Lieutenant Slemmer, although in command at Fort Pickens was out on a visit to Pensacola, and had dined with the leaders of the secession forces. He said that he had waited long and patiently for a visit from the leader

of the seceding forces, who replied that it was no fault of his that Fort Pickens had not been attacked.

It is announced that Mr. Yancy, of Alabama, who has labored so exceedingly hard to bring about the existing state of things at the South, in consequence of not having been considered worthy of the office of President of the Southern confederacy or some other high office in the gift of the secessionists has signified his intention of retiring to private life, convinced that all that has been said of the ingratitude of republics is verily true.

Governor Robinson, of Kansas, had issued a proclamation convening the Legislature on the 26th of this month, to elect two United States Senators. There was much interest manifested in relation to the matter.

Full particulars of the freshets at Albany and Troy, N. Y., about the 12th of February, are given. The loss of property at Albany by the flood was estimated at \$100,000. At Troy it was not so great as it was at first reported. After the water subsided it was believed that the damage would not exceed \$10,000. On the 16th the docks at Albany were still submerged to the depth of several feet. It was again raining in torrents, and it was feared that there would be a greater freshet than ever.

On the 11th and 12th of February there was an extensive inundation at Buffalo, by the rise of water in the creek, which spread out over the entire district east of the Ohio basin and canal, south of the Hamburg and Hydraulic canals, and extending out on each side of the creek for a mile or two. A portion of the B. N. Y. and Erie railroad freight track, was two or three feet under water.

An extra overland coach arrived at Fort Smith, Ark. on the morning of Feb. 20th, from Sherman, Texas. The conductor and passengers reported the seizure at Fort Chadbourne, by Texans, of the coach with the overland mail. The property of the company within reach was also seized, and the agents and employees imprisoned. It was also reported that Forts Chadbourne and Belknap had been captured.

The marine disasters reported along the Atlantic coast are very numerous, and the loss of life and property great.

On the Mississippi, February 12th, the steamer Sunshine picked up a snag at Kaskaskia Bend, which passed through her guards, and burst the steampipe, scalding several persons, among them two deck hands, who subsequently died. The steamer Ashland, from Tennessee river to New Orleans, laden with cotton, was burnt on the 15th. The steamer Fort Wayne sunk in the chute of Island No. 16, on the 20th. A small portion of the cargo was saved; the boat was a total loss.

At Portland, Me., on the morning of February 13th, there was an extensive fire which destroyed two blocks, with a large stock of tea, tobacco and other kinds of merchandize. Loss not estimated. On the 16th, a fire broke out at Jamaica Plain, Massachusetts, and burnt down Benjamin Goldsmith's house; his housekeeper, Nancy Slade, perished in the flames.

At Buffalo, New York, on the night of the 17th, the Townsend Hall block, five stories high, was burned down. Total loss about \$22,000. Many other fires of less magnitude are reported in various parts of the country.

Disgraceful.

Some lawless individuals on Friday night last, broke in some of the front windows of the Longstroth building, adjoining the store of Messrs. J. B. Kimball & Co., one apartment of which is occupied as an office by Mr. Rodgers, of the Indian Department conjointly with S. DeWolf, Esq., and the other by the clerks of the Surveyor General. The damage done was not so very great, but evinced the low-mindedness of the perpetrators, whoever they were.

The city authorities should make every necessary exertion to discover the rowdies, and cause them to make atonement for the outrage. Suspicious rest upon certain graceless scamps occasionally seen on the streets, and it would be well for the police to watch them closely hereafter.

The city has been very quiet for a long time, and the police force on duty has been but small, but we understand that since this occurrence, the City fathers have in contemplation an augmentation of the police force, for a time to come.

Important Decision.

His Honor, Chief Justice Kinney, on petition of James Graham—setting forth that he was illegally held in custody—issued on Monday a writ of *habeas corpus*, requiring the Warden of the Penitentiary, to bring before him the body of the said Graham, in order that an examination might be had into the matters set forth in said petition.

Graham had been convicted of larceny, by the Probate court of Weber county, and sentenced to twelve months imprisonment in the Penitentiary, five of which he has already served: save and except the short respite he enjoyed at the wholesale escape a few weeks back.

Wm. I. Appleby and Wm. A. Hickman, Esqrs., appeared with prisoner as counsel, yesterday before the Chief Justice in Chambers.

The first point set forth by counsel was that they could adduce evidence to show the innocence of the prisoner, and the error of the Probate court.

His Honor decided that oral testimony could not be introduced before a judge in Chambers reviewing the verdict of the jury in another court; that counsel had their remedy and could appeal to the District court; but it was not the province of a judge sitting in Chambers to re-examine a case, that had once been tried upon its merits.

The next and main question made by counsel for prisoner was as to the jurisdiction of the Probate court, urging that said court had not the power to try cases arising under the criminal code of the Territory.

This question was promptly met, and decided by the Court, and a construction given to the 9th section of the Organic Act, which lodges all judicial power in the Supreme, District, and Probate courts, and in Justices of the Peace. The Court holding, as Judicial power was in part confided to the Probate courts, and as the Organic Act provided that the jurisdiction of the several courts should be as limited by law, and as Congress had conferred upon the Legislature the power to provide for the exercise of judicial functions by the Probate courts, and it having conferred the right upon such courts to try cases arising under the criminal code conjointly with the District courts, that the criminal was properly tried and convicted before the Probate court.

That these courts were merely statutory, but the power conferred by the Organic Act upon the District courts as courts of chancery and common law could not be interfered with by the Legislature.

Not being aware of the examination till it was too late to send our reporter to make a full report of the proceeding, we hope that His Honor will find sufficient leisure to furnish us the opinion in full for publication in our next issue.

All Animals not Lawful Commoners.

Most, if not all, of the citizens of the Territory must be aware that stud horses, jacks and ridgils, over eighteen months old, are not lawful commoners in Utah, and that all such animals, when found running at large, are liable to be taken up and forfeited, by any person so disposed, whether he be injured or not by the carelessness or lawlessness of their owners.

Frequent complaints have been made about such animals running on the ranges heretofore in this county, and a gentleman from Davis informs us that many scrub ponies, liable to be forfeited, are now running at large in the northern part of that county. The only remedy for the evil provided by law, is for those who feel aggrieved in the premises to take up such animals and, on making the necessary proof before a magistrate that they are subject to forfeiture, they can be disposed of according to law. See Revised Laws of Utah, chapter 56, page 247.

In relation to this matter, we have more than once expressed a belief that, if those injured by such animals running at large, would avail themselves of the right guaranteed by the statutes, it would have a decided tendency to correct the evil; but the better way would be for the owners of such stock to keep it where it would not infringe upon the rights of others.

SPRING TIME.—The weather continues delightful, and the farmers are improving it to good advantage, in plowing and sowing wheat, rye, oats, barley, etc.

LATEST BY TELEGRAPH
AND
PONY EXPRESS.

FROM THE ATLANTIC STATES.

The Pony Express with advices from the east up to the 12th instant, arrived here on Monday morning shortly after ten o'clock.

MAJOR ANDERSON AND FORT SUMTER.

The war department on the 6th, had received a letter from Major Anderson in which he stated that he had only 15 days' provisions and wood on hand. The question had consequently arisen with the Administration whether reinforcements should be attempted or that the fort be abandoned. The latter course, it was thought, would be adopted from irresistible necessity, by advice of General Scott. There is a conflict of opinion between Republicans on that question; but no conclusion had been arrived at in Cabinet council, held on the subject on the 11th.

The withdrawal of the troops from Forts Sumter and Pickens was expected to be the death blow of secession.

VIRGINIA CONVENTION.

The report of the committee on Federal Relations was presented to the Convention on the 11th.

The report re-affirms the doctrine of State rights and declares interference with slavery by the Federal, or other authorities, or the people, contrary to the Constitution, offensive and dangerous; condemns the formation of geographical or sectional parties, demands a fair portion of the territory and equal protection therein; declares it is unwise, impolitic and offensive to accumulate within the limits of a State interested in pending questions, an unusual number of troops and munitions of war; indulges in the hope of a restoration of the Union and fraternal feelings; recommends the repeal of unfriendly Constitutional legislation, and the adoption of proper amendments to the Constitution; concedes the right of States to withdraw for just causes; urges that the question involved be peaceably dealt with. Without expressing an opinion upon the powers of the general government, suggests, if it should become necessary, the recognition of the independence of the seceding States, and the making of treaties and passage of such laws as separation may render proper. It recommends the people of sister States to respond, at their earliest convenience, to the proposition and that amendments to the Constitution be proposed hereafter; and in case Virginia fails to obtain satisfactory responses from slave holding States, she fee's compelled to resume sovereign power, and to throw herself on her reserved rights. It is made an indispensable condition, that a pacific policy be adopted towards the seceding States, that no attempt be made to re-enforce or recapture the forts, or exact the payment of imports upon commerce, or any measures calculated to provoke hostilities; that Virginia would regard any hostile action by either side as hurtful, and unfriendly, and as leaving Virginia free to determine her future policy. The report recommends a conference of the border States at Frankfort, Kentucky, on the last Monday in May.

The dispatch adds the foregoing will probably not fully meet the approval of the Union members because it apparently recognizes the legal right of secession.

MISSOURI CONVENTION.

The Convention had recommended the call of a National Convention as provided by the Constitution; also had provided that when the State Convention adjourns it should be until December next, at Jefferson City; also that a committee be elected by the Convention to call the body together, if in the interval any contingency should arise, rendering such a step necessary. It was expected that the Convention would be in session for a week longer.

TEXAS.

In the Senate, on the 11th, Senator Foster's resolution for the expulsion of Senator Wigfall, with Senator Clingman's substitute that Texas had seceded from the Union, and was not a member of the Confederacy, were taken up.

Mr. Foster spoke in support of his resolution. He opposed the proposition of Mr. Clingman that a State had a right to secede, and insisted that the passage of his own re-