

EDITORIALS.

THE U. P. R. R. EASTERN TERMINUS.

The Omaha Herald of May 22nd quotes the following dispatch—

"Council Bluffs, Iowa, May 20.—It is understood that the Union Pacific Railroad Company will abide the decision of the U. S. circuit court in the mandamus to compel the company to operate its bridge as a part of its road, and the whole as a continuous line to Council Bluffs."

The Herald answers the above in the following style—

"The dispatch, however, is a barefaced, unmitigated lie, from beginning to end. It does not have even the shadow of a foundation in truth. There is no such understanding as is alluded to, whatever."

"The terminus question is not settled yet, so far as the law part of it is concerned; nor will it be until a final decision is reached before the supreme court at Washington. Mr. Poppleton, as stated in the Herald, gave notice of an appeal to the supreme court and Sidney Dillon, president of the Union Pacific railroad company, telegraphed his approval of the action taken by Mr. Poppleton. Sixty days are allowed in which to make this appeal and the Herald understands that it is the intention of the company to take this case to the supreme court for a final decision."

"Furthermore, the Herald understands that the Union Pacific railroad company has not nor does it propose to abide by the decision of the United States circuit court, for the simple reason above stated; it proposes an appeal."

"Meanwhile the transfer goes on at Spoon Lake as usual; the trains for the west are made up at Omaha, and leave for the west from the western bank of the Missouri river."

PRAYING, FASTING AND GRASSHOPPERS.—The proclamation of the Governor of Missouri, announcing a day of fasting and prayer because of the grasshoppers, seems to be considered a right and proper thing to do, but that much more ought to be done in face of a great calamity, and also as a preventive. The Philadelphia Times says—

"If they sit down and look at the locusts and expect 'a mighty strong west wind' will come and carry them away, we venture to say that they will be disappointed; but there is certainly something that they can do, both in fighting the pest and in mitigating its effects, and we hope that they will get over their panic and go to work. It would be better, however, if people would make some effort to find out and to respect the laws which, whether we call them laws of God or laws of nature, do rule and govern on this earth, before habitual contempt for them has brought disaster. We cut down all the trees in the land, and then, when we are consequently scourged with alternate drought and flood, we think we are doing a rather commendable thing if we ask Providence to interpose in our behalf. We build tinder-box houses and rotten reservoirs, and when they burn down or burst, as they must, and we find ourselves destitute, we piously consent to appoint a day of prayer. We have killed off all the wild fowl from the western prairies, the most effective enemy that nature provided for grasshoppers and potato bugs, and when the insects increase, and we find we cannot do what the birds did, we begin to talk of the mysterious dispensations of Providence, or of nature's inscrutable ways. Let us go down on our knees, by all means; we have sins enough and follies enough to repent. But let us not suppose that the stupid carelessness which has characterized every step of civilization on this magnificent continent can fail to bring its punishment."

TRICKS AND MACHINES WITH THE GRASSHOPPERS.—The following are from Colorado papers concerning the way of the Coloradans with the festive grasshoppers—

"We hear of a new trick to destroy the grasshoppers. A gardener of town discovered that they were very fond of settling on the young twigs of the cottonwood. He cut a quantity of the small branches and laid them in piles around his garden. In a short time he found thousands of grasshoppers in each pile, and throwing a little hay over them he set it on fire and burned them in great numbers."—*Pueblo Chieftain.*

"The arms of the machine are about a foot wide, made of wires set pretty close together. On these wings the fire is kindled, and the thing hitched behind a horse rake rigging and drawn by horses, the fiery extensions running about two inches above the ground. Mr. L. estimates that three-fourths of the grasshoppers are killed on all ground once passed over. He will put over these wings or extensions a covering of sheet iron, so arranged as to throw the fire more downward, so as to catch them all wherever the machine moves. The slower the horses move the better."—*Standard.*

SEVERE ON NON-MARRYING MEN.—Mrs. Lizzie Pettit Cutler, the "bewildering widow," in the course of a lecture at the Southern Hotel, St. Louis, May 19, on the subject of "Flirts of Modern Society," declared that it was always the noblest and best men who were ruined by flirts, for, said she, "Who ever heard of a mean man making a fool of himself about a woman?"

Mrs. Cutler is thus further reported in the papers—

"She had observed that marriages were on the decrease in this country and in Europe. It might become necessary to adopt the old Grecian law, which compelled men to marry, and taxed bachelors for the benefit of families. The lecturer was decidedly severe on old bachelors, and described them as bears and nuisances, loungers and scandal-mongers. She characterized the Beecher trial as a farce, and said the best way to treat a seducer was to use a seven shooter on him. The crime of marital infidelity was much worse in a woman than a man, but men were guilty of it a thousand times more than women."

When all men become "Mormons" there will be few bachelors of culpable ages.

A CENTENNIAL YEAR.—The present is a great centennial year. Concord, and Lexington, and Mecklenburg have hardly got over their centennial happiness, and Kentucky is in about an equally happy condition on the following account—

"This is Kentucky's centennial year. One hundred years ago Richard Henderson purchased from the Indians all Kentucky south of the Kentucky river, Daniel Boone surveyed the purchase for him, Boone completed the fort at Boonsborough, in Madison county, his wife and daughters came as the first women to Kentucky, and the first sermon was preached at the Big Spring, in Harrodsburg, Mercer county."

BLACK HILLS GOLD.—The Omaha Herald says that the specimens of gold given to Mr. John S. Collins, of Omaha, at Fort Laramie, by Mr. Logan, the experienced miner of the party who wintered in the Black Hills, and sent to G. H. Collins, of Omaha, have been assayed at the Omaha smelting works, and found to contain \$19,473.35 gold per ounce Troy, which shows the specimens to have been first-class; and that gold as fine as this has been found in Australia, and in the Fairplay mining district, in Colorado, but is very scarce.

HOPPERS AND FREE SCHOOLS.—Who would think that grasshoppers and free schools are in any wise connected? And yet they are somewhat intimately, judging by the following—

"N. C. Meeker, of the Greeley Tribune, has returned from his ex-

plorations of the grasshopper regions of Kansas. In his letter to the New York Tribune he attributes the principal cause of the sufferings of the people of that State to over taxation for school and other similar purposes."

JUSTICES AND COMMISSIONERS.

IN the NEWS of Monday, May 24, Hon. Z. Snow reviews the jurisdiction of justices of the peace and United States commissioners, with special reference to the delivering up by the city officers of John Wiggins, charged with the murder of John Kremer, to the United States Marshal per deputy, on the demand of the United States Commissioner, Kimball.

Judge Snow states that, as regards offences against the laws of the Territory, justices of the peace and commissioners have co-equal authority, or are "co-ordinate branches of the government, with like powers and duties;" that neither justice nor commissioner has authority to take or demand a prisoner from the custody of the other, but that if either of those officers chooses to surrender a prisoner for examination by the other officer, it can be done at option, there being no law to prevent it, and that it can also be refused at option, there being no law to enforce compliance.

In the case referred to, the prisoner, Wiggins, was in the custody of the city officers for examination before a justice of the peace, when his custody was demanded by a United States deputy marshal on a warrant from a United States commissioner, and the prisoner was delivered up to the deputy marshal and taken before the commissioner for examination on the charge named.

The commissioner had no right to demand the prisoner from the justice, nor, vice versa, would the justice have had any right to demand a prisoner from the commissioner, or, in other words, the U. S. marshal had no right to demand a prisoner from the city officials, nor had the city officials any right to demand a prisoner from the U. S. officials. The precedence, if any, was with those officials, local or federal, who had first lawfully arrested the prisoner.

If a commissioner demands a prisoner from the city authorities, and the latter do not desire to surrender him, it is evidently their right to hold him in custody, according to law, for examination before a justice of the peace. If this were not so, the office of justice of the peace would be completely overshadowed, practically abolished, and rendered obsolete, which is evidently not according to the law. Therefore, in the contingency of a demand of a commissioner for a prisoner from the custody of the municipal authorities, the latter would be perfectly in the right to refuse such illegal demand, and if necessary to continue to refuse until the matter were carried before and settled by the court of last resort, and this in self-defence and in vindication of their right and extent of jurisdiction according to law.

The practice of surrendering prisoners on demand to a co-equal authority is a tacit acknowledgment of superior authority in the demander, and is a concession to the spirit of usurpation which is not favorable to the perpetuation of American liberties and equal rights.

APPLICATIONS FOR PRESIDENTIAL PARDONS.

THE granting of pardons by the Federal Executive, on the recommendation of the Attorney General of the United States, sometimes upon *ex parte* statements, or inadequate knowledge of the facts, having been productive of abuse and injustice, the new Attorney-General has issued an order with the view of preventing similar abuse or injustice in the future. The order, which is said to have been issued with the hearty cooperation and approval of Presi-

dent Grant, and appears to be favorably received by the press, is as follows—

"DEPARTMENT OF JUSTICE, Washington, May 17, 1875."

"To the end that pardons may not be granted unadvisedly and against the best interests of good government, all applications for Executive clemency through this Department must be made hereafter upon the sworn petition of some credible person, stating, as nearly as may be, the age, nativity, and prior occupation of the party imprisoned; stating also the name of the Judge who presided at the trial, and the name of the District Attorney who conducted the prosecution, and whether the applicant for pardon has ever before been convicted of crime. The petition and all letters in support thereof must state explicitly the reasons why the Executive clemency is invoked to abrogate or change the sentence of the court; and no motives urged upon this Department will be considered unless the same are stated in writing, signed by the parties urging them, and filed for permanent record and publicity in case the pardon is granted. The application must be accompanied by evidence that notice of the petition and of all supporting documents has been served upon the Judge who presided at the trial and upon the District Attorney of the district wherein the trial was had, when such service of notice is practicable, at least ten days before the petition is presented to the President. It shall be the duty of the District Attorney, whenever any application shall be referred to him for a report, to ask the Judge who pronounced sentence for his opinion upon the merits of the application, and to have the answer of the Judge accompanying the report of the District Attorney whenever such answer can be obtained. The various District Attorneys of the United States will take notice of this order."

"EDWARDS PIERREPONT, Attorney-General."

HORSE DISEASE IN ST. LOUIS.—Another severe horse disease has appeared in St. Louis, Mo., which was causing much apprehension until the doctors declared it to be not contagious. In order to determine as far as possible the nature of the disease, a post mortem examination of a horse at the Bellefontaine stables, at which thirteen horses had died, was made, among those present being Drs. Mudd, Dean, Barnes, and Schenck, and Veterinary Surgeons Swift, Hempelmann, Maynard and Garrity. The doctors unanimously agreed that the horse died from cerebro-spinal meningitis, or inflammation of the three membranes which envelope the brain and spinal cord. Veterinary Surgeon Swift received the following certificates—

"ST. LOUIS, May 24, 1875."

"We assisted in a post-mortem examination of a horse at Bellefontaine Railroad Stables to-day. We found the ventricles of the brain distended by slightly turbid serum, and the substance of the brain congested. The arachnoid membrane of the spinal cord was congested, and the substance of the cord softened, particularly in the lumbar and lower dorsal region. The stomach presented a number of small ulcers—chronic in their character—some of them cicatrizing and healing. There was no evidence of recent acute inflammation of the stomach. The lungs were much congested, and the liver friable. The meningitis was marked."

"D. V. DEAN, M. D.,
"H. H. MUDD, M. D.,
"H. T. BOUTWELL, M. D."

"HEALTH OFFICE,
"CITY HALL, May 24, 1875."

"Sidney B. Swift, V. S.:"

"DEAR SIR—From the post-mortem made to-day upon a horse at Bellefontaine Stables, we are satisfied that said horse had suffered from cerebro-spinal meningitis, which disease, in all human probability, caused his death."

"Respectfully,
"P. V. SCHENCK, M. D.,
(Health Officer.)
"A. S. BARNES, M. D."

A horse, stricken with the disease, suddenly dropped in the street. The result, in this instance, is thus stated in the *Globe-Democrat*—

"P. Hayden, the foreman of the American Express stables, happened along, and brought the animal out all right in the course of half an hour, by the following treatment, which is published for the good of the public: Rub the spine with ammonia and bathe the top of the head with ice water; administer one powder composed of morphine, one grain; quinine, thirty grains, and Dover's powder, forty grains; also sweet spirits of nitre, two ounces; tincture of aconite root, fifteen drops, mixed with two ounces of water."

THE DRUNKENEST CITY.—New York seems to be making a valid claim to the disreputable pre-eminence of the drunkenest city. According to the report of the police justices that city had 40,777 arrests last year for being drunk, or drunk and disorderly, one-third of that number being of women. According to another return, the number of cases of drunkenness was 838 for every 10,000 inhabitants, with 8,403 liquor saloons, or one to every 119 men, women, and children. In the drunkenest and worst portion of London, especially selected on that account, the drunks amounted to 264 for every 10,000, in Liverpool 329, in Cork 382, and in Dublin 416.

In round figures, therefore, New York may be said to be nearly three times as drunken as London, and nearly twice as drunken as Liverpool, Cork or Dublin.

A CURIOUS VERDICT.—A Nevada jury, says the *Virginia Enterprise*, impanelled to inquire into the cause of the death of Samuel Day, who was injured in the Ophir mine, took two days to render a verdict, and here it is—

"The deceased came to his death from injuries received in the shaft of the Ophir mine; and we, the jury, are of the opinion that it would be better for the public to employ a physician who is not accustomed to imbibing intoxicating liquors to extremes; and also to employ those who are competent to attend to cases of amputation without experimenting. The jury are also of the opinion that the foreman of the Ophir mine, Robert Marshall, is deserving of severe censure for the utter negligence and indifference exhibited by him in not endeavoring to ascertain the cause of the accident. We are also of the opinion that S. Curtis, superintendent, and Mr. Brophy are very competent officers."

"Signed by M. K. Martin, William Avery, M. Coleman, F. A. Oxtan, H. Mahricke, H. Seltenehelm, J. C. Kiley and P. Ryan."

DRUMMOND INDICTED FOR PERJURY.—The following, from the *St. Louis Republican* of May 22, is not very encouraging to unjust judges—

"Before Judge Treat of the U. S. district court yesterday, the case of W. W. Drummond, indicted for perjury, was postponed until Thursday, upon motion of his counsel. Drummond was the federal judge of Utah Territory who first had Brigham Young arrested, and has since acted as counsellor in Chicago and Peoria."

"He has been in jail five months on a charge of perjury, for swearing before Commissioner Clarke that he owned real estate worth \$16,000. The defendant was remanded to jail."

Dr. Rolland on Salt Lake City.—A few weeks since, Dr. Rolland, a young gentleman of liberal education and views, a graduate of the medical college of Philadelphia, and subsequently of London, England, paid a visit to this City, on his way to San Francisco. While here he made the acquaintance of Bishop Edward Hunter, who is from the same part of Pennsylvania as he. We find, in correspondence of the Doctor's, published in a leading Pennsylvania paper,