

PERSEVERE AND PROSPER.

THE Weekly Alta California of the 18th instant makes some very pertinent remarks in a leader entitled "The Spirit of 'Forty-Nine,'" called forth by the lack of energy evinced by the majority of those now immigrating to that State in search of homes and fortunes, when compared with the energy and industry of the first settlers.

As the experience of the people of Utah is similar, in some respects to that of the people of California—so far at least as the settlement of California and Utah is concerned—both being of comparatively recent date, a few words in this connection may not be inappropriate.

The Alta says the "spirit of 'forty-nine'" with its indomitable pluck has to a great extent disappeared from among the people of California, and that a thriftless, shiftless spirit now prevails amongst them. To-day, strangers or emigrants will hang round the cities waiting for remunerative employment to turn up; but in 'forty-nine every man made it for himself.

Then the incentives to labor were seemingly so much greater than now—life being absolutely dependent upon it, and fortune to be had for the digging, that all, whether inured to toil from their childhood, or reared in the lap of luxury, were inspired by the same feeling, and pitched into anything, no matter how laborious that promised gold for a reward. The result was that California was built up in an almost miraculously brief space of time, and her people, to-day, are surrounded by almost, if not all the adjuncts of wealth, luxury and refinement possessed by the oldest cities in the Union.

It is this development of the resources of the State, and the consequent improvement in the circumstances of the people that have brought about that lack of energy and that shiftless, thriftless spirit of which the Alta complains. One is the natural outgrowth of the other. These evidences of prosperity and wealth not only affect the rising generation of native born Californians, but they also affect those who immigrate to her shores. Seeing on every hand the evidences of wealth and luxury, the latter are apt to fancy that the necessity for hard and incessant labor, self-denial and economy is not so great as in the days of the early settlement of the country and that, at least, a share of the comforts and luxuries of life now so general ought to be more easily obtainable by all.

This idea is no doubt true to a great extent, but at the same time, none can reasonably hope to achieve for themselves ease and comparative independence, without years of toil, frugality and economy; and the shirking of this is, beyond all question, the cause of that discontent and dissatisfaction referred to sometimes by the California papers, as existing occasionally among some of the floating population of the State.

The Alta also remarks that among the Congressmen, judges and most wealthy and influential citizens of today may be found some of the miners, teamsters and boatmen of 'forty-nine. It is more than probable that many thousands who have landed in California since the days of its first settlement, have broken up good, comfortable homes in other parts of the Union, lured thither by the extravagant reports of the great success that some had achieved; and almost fancying that gold was to be had by the sackful just for a few days' labor; but being disappointed in such foolish notions they have left the State in disappointment and disgust, when there is no question that if their course had been marked by continuous and arduous toil and frugality their success would have been perfectly satisfactory, for, as the writer in the Alta observes, the State is as wide, the field as ample, the incentives to honorable industry as pressing and the chances of pecuniary success are as great to-day as ever.

The circumstances which led to the settlement of California and Utah were very different in character. In the former case it was solely the hope to amass wealth quickly that drew the people thither; but the people of Utah were driven hither by the relentless hand of persecution. They settled in the midst of a most forbidding and sterile desert in the hope that here, at least, where it seemed impossible to raise the necessities of life, they might be allowed to dwell in peace and have the privilege of making, if such a thing were possible, peaceful homes for themselves and their families. In this the great majority of the first settlers, and thousands who followed them have succeeded, and they are now surrounded with all the comforts of life; and here as in California, many of those, who in the days of the early settlement of Utah, went to the cañon and hauled wood, made adobies or occupied the equally useful position of mason's clerk, are now to be found among the Apostles or Bishops, or numbered amongst the most wealthy and influential of our citizens. But those at all acquainted, twenty years ago, with what is now called the Territory of Utah,

will readily understand that this change in its condition and that of its inhabitants has only been brought about by an immense amount of labor and the most uncompromising energy, more probably having been expended than would have been required to have produced similar results on any other portion of the globe.

But with this change in the condition and circumstances of the people of Utah, there is also, as in California, a change to be observed in the spirit of the people. This change is by no means general, but is happily confined to a few, and they, almost wholly, among the rising generation of natives, or among our more recent settlers. The former in some instances, though being surrounded with plenty and comfort from infancy fail to realize the necessity for that plodding, untiring labor to which their fathers were compelled to submit for years, and to which alone, under the blessing of Heaven, they are indebted for the blessings they now enjoy.

This lack of energy even among the young, we are happy to say, is confined within very narrow limits, and time and experience will in most cases effect a cure.

Among some portions of the foreign residents of our Territory, this disposition, though by no means general, is more widespread than among the native population, and is the result, to a great extent, of their change of circumstances.

In Utah the branches of trade carried on is yet limited in number and the cultivation of the soil is the great resource for our ever increasing number of emigrants. To those accustomed to agricultural pursuits in foreign countries, the changes in the modes of life here are soon overcome; but many of our population come from the over-crowded manufacturing districts of Great Britain, and never owned a foot of land, or handled a spade or plow in their lives. Upon arriving here most of such persons fail to find the kind of employment they have been accustomed to, and have to learn new trades, or what is equally as difficult, have to turn their attention to tilling the soil. In either case their labor, while it may yield them the necessities of life, fails to yield them the scanty share, of what they term comforts, which they have been accustomed to in their native lands, and hence they are apt to become dispirited, lose energy and become dissatisfied, and so remain year after year making no improvements, and living in squalid poverty.

Our remarks on the present occasion are intended for the encouragement of all such individuals. Let them remember that persevering toil will ever meet its due reward, that the earth will yield as great an increase to their labors as any have ever yet reaped. And though they may find the modes of life different and the avenues of employment more circumscribed than they have been accustomed to, yet in this they are no worse off than thousands who have preceded them and who are now enjoying a tolerable share of comfort and affluence. And though for a while they may be compelled to endure some amount of privation, yet determined energy, industry and frugality will in a few years at most, overcome every difficulty and surround them with every blessing of life their hearts can desire, and far more than they could ever have hoped for in their native lands.

By Telegraph.

CONGRESSIONAL.

AN ORDER FROM SUMNER REJECTED. Sumner offered an order providing that on the final judgment by the Senate, questions arising thereupon shall be decided by a majority; objected to and laid over.

WILLIAMS RESUMES HIS ARGUMENT.

Mr. Williams then resumed his argument. After recapitulating his arguments of yesterday, Williams took up the subject of the President's alleged justification by reason of the advice given by the Cabinet. He held that the President could not absolve himself behind the opinions of his own creatures, whose sentiments were prompted by the fear of losing their positions. He argued that the suspension of Stanton was made under the tenure of office law, which the President thereby acknowledged. He maintained that the averment of evil intent was not necessary, as in this case, as in all others, it was inferred from the act itself. He compared the conduct of Johnson with that of James the Second, and said it only remained to see whether the parallel would be completed. He contended that the safety of the people, which is the supreme law, is the only law by which this case could properly be tried. It was belittled by trivial and unimportant legal technicalities, and he brought the Senate to take a larger view. In conclusion he said the result of the trial or the Senate would go down; and depicted the series of fearful consequences which would follow from his acquittal. The Senate then took a recess. After re-assembling,

REMARKS BY BUTLER.

Butler arose and said he desired to make a few remarks in justice to himself, in connection with certain statements made by Mr. Nelson in his speech about the Alta Veta case. Butler said the declaration by Nelson was that he, Butler, signed the document, March 9, after the impeachment resolution had passed the House, which document was also signed by Messrs. Bingham, Bayou and Garfield. He said he had signed such a paper, without date, in the early

part of February, long before the impeachment articles were passed. This paper was taken by Andrew Johnson and dated March 9, in support of making a case against the persons now acting as Managers for the House. Butler characterized Nelson's statement as false in every particular, and known to be so by any one familiar with the facts. He read an affidavit from Jerry Black and Col. Sheaffer, in support of this view. Butler's remarks caused considerable excitement, and he had no sooner taken his seat than Nelson sprang to his feet and defended the position he had taken, and hurled back, with indignation and scorn, Butler's remarks. Such foul mouthed remarks as had just been made by Mr. Butler, he said he would not be guilty of using. Nelson was proceeding in this style, when Senator Yates arose and called the attention of the Chief Justice to Mr. Nelson's remarks and called him to order. Nelson said he would try to keep within bounds, but he was excited and he asked him if he knew what he was saying. Nelson then apologized for certain words and withdrew them. After the conclusion of Nelson's remarks, Evans commenced his argument and the attention of the crowded galleries and a well filled Senate chamber. He occupied the first half hour in preliminary remarks, not touching the question of impeachment at all. He will occupy to-day and to-morrow in making argument.

EVARTS'S EXORDIUM.

Chicago, 29.—The following is a brief abstract of the exordium to Evart's speech in the impeachment trial, yesterday: He will commence the argument to-day. His opening remarks had reference to the grave character, cause and impossibility of human prescience fore-seeing the results which would flow from it. From these considerations he formed a strong appeal for circumspection and impartiality in its consideration. He briefly reviewed the issue involved in a few of the impeachment trials that have taken place in our country. He spoke of the insubordination when compared with the one now presented. He should call their attention to some of the probable results which would follow the decision either way. If the President be acquitted, the government will go on as before; Congress and the Executive will resume their proper functions. In case of conviction disturbances of various kinds will arise; one branch of the government will be destroyed, its prerogatives, and the President will be succeeded by a member of this body which has deposed him. This, he maintained was the trial of the reconstruction policy. He referred to the Supreme Court as a respected and cherished guardian of the people's liberty. He alluded to the fact of Congress having recently prevented the exercise of its rightful jurisdiction in defense of that right. Congress was also attacking other co-ordinate branches of the government. The people looked to this trial for the restoration of the rights of civilization, and which should restrain that aggressive branch within its proper limit. The oath of the President was not merely a common oath to faithfully discharge the duties of his high office; but included the unique and solemn obligation to preserve, protect and defend the Constitution of the United States. The people have formed and will adhere to the determination that that oath shall not be taken in vain.

They are converts to no such theories as Congressional omnipotence. When they hear that this sword of impeachment is drawn, they wish to know what crime it is with which the President has been charged, and for which it is sought to depose him. They understand what treason and bribery are in all their ramifications, but on going through with all their list, they are told his crime is having removed a member of his cabinet, and that it is because he was removed from Congress, for the first time in the history of the government, has made it so. He undertook to make an *ad interim* Secretary of War, and in consequence, they are to have made for them an *ad interim* President. They also ascertain that no force was employed and no removal made except on paper, and for the purpose of procuring the decision of the Supreme Court, to prevent which, vigorous action was at once taken by those who bring this accusation. In short he said, the people see that it is a question of supremacy between Congress and the Constitution. They did not hold the idea that the Constitution was made only for infancy; but felt that it was to be the guide and bond of our matured manhood, and were determined that law should continue to be the guardian star of liberty.

Referring then, to the position assumed by the Managers, that this trial is not a court, he said it was the first time he ever knew a prosecutor to make the assertion that his case was *coram non judicio*; but they probably felt that the only way to prevent the case being turned out of court was to turn the court out of the case. As to the English precedents adduced to show that this body was not a court, he said Parliament was the Supreme Court of that nation, and impeachment was only a part of its judicial functions. This view he supported by the authority of Chancellor Thurman, and said that this is not the altar of justice, it is nothing but an altar of sacrifice. He said the Managers had taken no pains to conceal the party spirit and party hate which had hurried through the preparations for this proceeding, and then read some of the declarations on the subject made by the Managers in the President's trial. He called attention to the words of one of the Managers, who spoke of the Senators as headmen, standing on the scaffold with their swords ready, they having tried the trial on the night of Feb. 21st, assertions which he characterized as insulting to the court and both cruel and unwarrantable.

He then read from the debates on the formation of the Constitution to show that the power to impeach and try the President was granted with hesitation to the Senate, and only because of the reluctance placed on their observance of a judicial oath. Evans then dwelt on the tremendous power and weight of those little words, truth, oath, justice and duty, and appealed to the Senators to brace themselves by all their integrity, and to truly and justly observe their oaths and to perform their solemn duty.

NELSON TO BE CENSURED.

Sumner offered a resolution that Nelson, having used language in this tribunal, calculated to provoke a

duel and disrespectful to the court, be censured by the Senate. Sherman objected to the consideration of the resolution of Sumner, and objected to Nelson making any remarks except in explanation, but the Senate allowed him to read letters bearing on the question. Nelson then explained in relation to what purported to be an original letter signed by Butler, Logan and Garfield, dated, March 9th; also a letter to the President by Chauncey Black, dated March 9th, containing a copy with additional signatures. Cameron offered an order for the night session, which went over. Evans then resumed his arguments.

HOUSE—NEW YORK.

THE NEW CONSTITUTION OF SOUTH CAROLINA. A copy of the new constitution of South Carolina was laid before the House, and referred to the reconstruction committee. Bills admitting South Carolina, North Carolina and Louisiana were introduced and referred to the same committee.

THE SALE OF THE IRON CLADS.

A resolution inquiring into the sale of the iron clads *Neota* and *Catalpa*, to Alexander Swift, by the Navy Department, was introduced by Washburne, and agreed to.

GENERAL.

SERIOUS RAILWAY ACCIDENT.

Pittsburg.—Brady's Bend accommodation train, of the Allegheny Valley Railroad, consisting of a number of freight cars with a baggage car and passenger coach, when near Burnsville, 120 miles from this city, jumped the track and was thrown over a high embankment, making two revolutions, and stopping in the Allegheny river. There were over twenty passengers on the train, none of whom were killed, but a number were seriously injured. The accident was caused by a broken rail.

REV. PAUL BAGLEY IMPEACHED.

Washington.—The Rev. Paul Bagley has been impeached by his church, and removed from his pulpit for indulging in political matters.

ORD ASSIGNED TO THE DEPARTMENT OF CALIFORNIA.

San Francisco, 28.—Gen. Ord has been assigned to the command of the Department of California, vice McDowell transferred to the Mississippi.

INDIAN DEPREDACTIONS IN IDAHO.

Idaho advices of April 18th say that the Indians are committing depredations in the Lemhi valley. It is thought that the programme of the past four years will be repeated by the savages, robbing, burning and murdering. The Indians made a raid through Fayette valley, capturing and driving off stock. Troops have been sent in pursuit from Fort Boise.

BANQUET TO THE CHINESE EMBASSY.

The banquet to Anson Burlingame and the Chinese Embassy was given at the Lick House last night. Gov. Haight presided. Speeches were made by Gen. Halleck, Admiral Thatcher and others. All the Representatives of foreign governments attended. Burlingame, in his remarks, said that was not the place nor time to enter into any exposition of the purposes of his mission. It came to him unsolicited and was accepted in the broad interests of civilization, and would not be used in any partial or limited sense. It should be conducted only in the interests of all the mission. It was not the result of any accident or any special design, but was the legitimate consequence of events which had recently occurred in the capital of China, caused by the West being brought into proper relations with that Empire.

WRECK OF THE GROWLER.

The schooner, *Growler*, the property of the new fur company, was wrecked on a reef of rocks at Cape Murray, on the northern coast; twelve lives were lost. The vessel had a valuable cargo aboard destined for Sitka, which was a total loss. Several bodies have been recovered.

REVENUE RECEIPTS.

The total receipts from nearly all the collection districts in the United States show that the revenue for the last five months to be at the rate of \$12,000,000 per year, or \$30,000,000 less than the estimates of the Commissioners.

SCHOFIELD DECLINES THE PRESIDENT'S NOMINATION.

Another special says that Schofield has written a letter to the President declining to accept the nomination of Secretary of War.

RETURN OF FENIANS.

Captain Buckley and nine others, of the crew of Jacknel packet, recently returned from Ireland, and will leave to-day en route for Idaho. They will be the guests of the Fenians.

DOINGS OF THE DEMOCRATIC EXECUTIVE COMMITTEE.

It is stated that the Congressional Democratic executive committee have unanimously passed a resolution requesting the National Democratic Convention to re-consider their previous action, and to issue a call for a Presidential nominating convention, to meet in the latter part of May, or early in June. It is probable that a Congressional caucus of all the Democratic members will shortly be called for the purpose of making the same request.

SOLDIERS' MEETING GO FOR HANCOCK.

The meeting of soldiers, held at Fifth Avenue Hotel last night, agreed on supporting Hancock as a candidate for President, and to send a circular to the Democratic soldiers and sailors' National Convention.

HANCOCK AND GROESBECK NOMINATED.

The Tribune's Washington special says a meeting of influential Democrats have agreed to nominate Hancock for President and Groesbeck for Vice-President.

SCHOFIELD AND THE CONSTITUTION IN VIRGINIA.

The World's dispatch says Schofield has a desire that the new constitution for Virginia shall be submitted in parts, so as to enable voters to reject the franchise clause, or to reject the slavery exception, if they so prefer, and to adopt such other parts as they may approve.

FOREIGN.

DEATH OF J. C. WARNER.

New York, 28.—The Henry Chauncey prince Panama dates. Jas. C. Warner, the Tribune correspondent, died at Panama on the 18th.

TROUBLES SUPPRESSED AT CHIRIQUI.

Troubles at Chiriqui are suppressed; the leading revolutionists have been arrested.

ATTACK ON THE GRANADIAN COLONY.

A brutal attack had been made on the colony of Granadians in Ecuador by the natives, who were to be punished by the government.

GUATEMALA FAVORS IMMIGRATION.

Guatemala had issued a decree very favorable to foreign immigration.

AMAPOLA A FREE PORT.

Honduras has declared Amapola a free port for twenty years.

COMMERCIAL TREATY BETWEEN ITALY AND SALVADOR.

Salvador has made a treaty of commerce with Italy.

DOINGS OF THE CANADIAN HOUSE OF COMMONS.

Ottawa.—The House of Commons, on Saturday, sat with closed doors. The subject under consideration was the suspicion of being Fenians has fallen on certain employees of the House, in connection with the recent assassination of McGee. A message from the Duke of Buckingham, relating to the assassination, was laid before both houses. An address, conveying the sympathy of Parliament with her majesty and expressing indignation at the atrocious crime, was agreed upon in the Senate. Senator Mitchell was particularly severe on the Fenians, and expressed the hope that vigorous efforts would be made to stamp it out in the British dominions.

CLERKENWELL PRISONERS DISCHARGED.

London, midnight.—All the prisoners in the Clerkenwell explosion case, except Barret, have been set at liberty.

FENIAN TRIALS.

Nagle's trial is appointed for May 9th. The trial of Burke, Casey and Shaw commenced to-day, before Justice Brownell. Great interest is felt in the proceedings. The counsel asked for a mixed jury for Burke, on the ground that he was an alien; the motion was overruled. The counsel for the Crown said the case against the prisoners was for felony and making a conspiracy against the Queen, which was punishable with transportation for from two to seven years. He said they would rest the case, principally, on the testimony of Delany, Massey and Cogan. Massey testified that he knew Burke in the United States, and knew that he was sent out to buy arms in England for the rising in Ireland. He afterwards met Burke and Shaw at Fenian meetings in Liverpool, and was with them when the attack on Chester Castle was planned. When trouble broke out in Ireland, the principal English cities were to be fired and destroyed. Delany's testimony was corroborative of Massey's. He testified that he saw Burke commissioned in America to raise an insurrection in Ireland. He afterwards saw him in London and sent him over to Ireland.

DERBY ATTACKS RUSSELL AND GLADSTONE.

In the House of Lords, Derby attacked the resolutions of Mr. Gladstone on the Irish Church, and accused Lord Russell of vacillation in his position on the question. He said the resolutions had been adopted by only one House of Parliament, and were without binding force on the Crown; but if the bill were duly passed it would be obligatory. He criticised Lord Russell, alluded to his views on the subject and hoped for the defeat of Gladstone's scheme, as Ireland would then be saved.

RUSSELL'S REPLY.

Lord Russell said he was amazed to see Lord Derby opening this question here while it was yet pending in the Lower House. He declared with much earnestness that the peace of Ireland was the aim of his life, and defended his course on the ground that inconsistency in the means used was not incompatible with consistency in the end sought to be attained. He acknowledged that he preferred his own plan for the solution of difficulties in Ireland, but accepted the plan of Gladstone, as the most practicable under the circumstances. In case the resolutions should pass the House of Lords, he should submit an appropriate bill, which he believed would be sustained by the Commons and by public opinion, and would, without doubt, command the assent of the Senate. He hoped the Ministry would not attempt to influence the Crown adversely to the will of the Commons, as a collision between the Crown and Commons would be a deplorable result.

THE IRISH CHURCH QUESTION IN THE COMMONS.

In the Commons, Disraeli, in answering a question on the opposition benches, said the Ministry wished the fullest discussion on the Irish church establishment question. Gladstone hoped the debate would not delay the business of the House.

ZOLLVEREIN DIET IN SESSION.

Berlin, 28.—The Zollverein Diet is now in session. They have chosen Simpson for President. The speech of the King of Prussia was made at the opening of the Zollverein instead of the North German Parliament, as reported.

NEWS FROM INDIA.

New York, 28.—The Herald's London special says the Governor-General of India telegraphs from Calcutta, April 28th, that Mahomet Kahn has re-taken Randah and Khetta from the invading Russians.

SOUTH AMERICAN NEWS.

News from Rio, on the 9th, and from Parana, March 25th, says the allies have taken the Paraguayan lines at Royas, and have their headquarters at Rio. Lopez has abandoned Pacu; his whereabouts is unknown. The allied fleet has gone up the river again to Humaita, which will soon be attacked. It was expected that the Paraguayans would surrender.

PREPARING TO ATTACK RUMAITA.

Paris.—The Monitor has South American advices stating that the allied land and naval forces are in possession of all the principal points around Humaita; their force is being daily increased for a final attack.

THEATRE.

Lessee & Managers—H. B. Clawson & J. T. Cairn.

Thursday Evening

APRIL 30, 1868.

ENGAGEMENT OF

MR. & MRS. G. D. WALDRON

Will be presented, Schiller's Romantic Drama, in 5 Acts, entitled

THE ROBBERS;

OR,

THE FORESTS OF BOHEMIA!

Charles De Moor—Mr. G. B. WALDRON.

Count De Moor—Mr. D. McKennie
Francis De Moor—Mr. J. S. Lindsay
Spiegelberg—Mr. P. Margrett
Switzer—Mr. J. M. Hardie
Roller—Mr. J. C. Graham
Herman—Mr. J. E. Merrill
Grimm—Mr. E. D. Crowther
Razman—Mr. J. E. Evans
Schurfer—Mr. J. B. Kelly
Commissionary—Mr. G. Teasdale
Daniel—Mr. R. Matthews
First Robber—Mr. C. M. Donelson
Second Robber—Mr. N. Gray
Kosinski—Mr. J. F. Moore
Amelia—Miss Adams

Robbers, Attendants, etc., etc.

To conclude with the laughable Farce of

ON AND OFF;

OR,

Danducketty's Pic-Nic!

Mr. Peter Danducketty—Mr. P. Margrett
Mr. Alphons De Pentenville—Mr. J. O. Graham
Mr. Charles Langton—Mr. J. M. Hardie
A. B. Piccolo—Mr. E. D. Crowther
Viola—Mr. J. B. Kelly
V. L. Old—Mr. G. Teasdale
Lettie, Danducketty's niece—Miss Alexander
Mrs. Muffit, Danducketty's landlady—Mrs. M. G. Clawson
Servant—Miss Evans

DOORS OPEN AT 7½ o'clock. Performance commences punctually at 8.

GRAND MAY-DAY MATINEE!

FOR FAMILIES AND CHILDREN!

FRIDAY Afternoon, May 1.

KIMBALL & LAWRENCE.

—:—

We have on hand a LARGE STOCK of

DRY GOODS,

HARDWARE,

GROCERIES,

BOOTS AND SHOES,

Stationery, Crockery,

DYE STUFFS,

NOTIONS, ETC.

Which we offer at

LOW PRICES!

es. We will be receiving NEW GOODS every Month during the Summer.

Kimball & Lawrence.

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WASATCH

WOOLEN MILLS!

WASATCH WOOLEN MILLS, located on the Wasatch Mountains, near Salt Lake City, Utah, are now in successful operation, manufacturing a large quantity of fine quality woolen goods, which are sold at low prices.

A. O. SMOOT & CO.,

Give Notice to the Public, that their

WOOLEN FACTORY,

is now in successful operation, manufacturing a large quantity of fine quality woolen goods, which are sold at low prices.

Now in Successful Operation

And that they are ready to

EXCHANGE CLOTH AND YARN

FOR WOOL!

new goods and ready to

and that they are ready to

and that they are ready to

and that they are ready to

and that they are ready to

and that they are ready to

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