

tions be submitted to the editors of the *DESERET NEWS* and the *Salt Lake Herald*, with the request that they solicit communications from the public on the subject.

Undoubtedly many of our farmers, scattered throughout this Territory, as well as Idaho, Nevada and Arizona, have had considerable experience in the reclamation and cultivation of lands impregnated with saline and alkaline elements. If such cultivators will be kind enough to furnish the results of their experience in this branch of agriculture, they will be conferring a favor upon a distant people, who depend in a degree upon the cultivation of soil similar to much of the salt and alkaline land of this mountain region, and in a climate of similarly arid character to ours, where irrigation, as with us, is a necessity.

All communications upon this subject should be addressed to Hon. W. Woodruff, President D. A. and M. Society, Salt Lake City.

OBITUARY.

At one p. m. yesterday, the funeral ceremonies of Sister Margaret Q. Hoagland, wife of Bishop Abraham Hoagland, were attended at the 14th Ward Meeting House, the House being filled with her friends. Professor Thomas and his choir were there and sang hymns appropriate to the occasion. Elder John Taylor and President D. H. Wells addressed the assembly, and their remarks were very instructive and consolatory. Both had known the lamented deceased from the days when, with her family, she had gathered with the Saints, and had, therefore, known her life and the example which it afforded. A large procession accompanied her remains to the grave, the people of the Ward sympathizing with their Bishop in his bereavement.

Sister Hoagland was born April 18th, 1802, in Hillsborough township, Somerset County, New Jersey. After marriage she moved with her husband to Royal Oak, Oakland County, Michigan, he having been out previously to that region and opened a farm there. In the years 1840 and 1841 she heard the everlasting gospel preached by the Elders who visited that country, and early in 1842 was baptized for the remission of her sins and became a member of the church of Jesus Christ of Latter-day Saints. In the Spring of 1843 the family moved to Nauvoo, Illinois, and shared in the exodus of the Saints from that place, spending the winter of 1846-7 at Winter Quarters, and moving from there to this valley the next spring. The meek are to inherit the earth, the peacemakers are to be called the children of God. This was the character of the deceased. She was a meek woman and a peacemaker. An admirable, loving wife, an affectionate mother and a kind, unwavering friend, she quietly filled all the relations of life without ostentation. Her disease was pleurisy and inflammation. When first taken sick, she was aware that the time of her departure had come, and so expressed herself. She did not wish to linger, or to pass away with difficulty. Her desires were granted. Her illness was a brief one; and a few minutes before her death, she called her sons into the room and requested to be lifted into her chair; while in this position, surrounded by her husband and family, she gently passed away as though falling asleep.

PENNSYLVANIA.—Elder J. W. Cummings writes from Philadelphia, Nov. 25—

"I recently become acquainted with a gentleman who lives in the interior of this State, who manifested much anxiety to become acquainted with our doctrines. He had read the newspaper reports and wished to learn the other side also. I had several lengthy conversations with him in this city and he wished to obtain some pamphlets setting forth our doctrine. He is a man of education, largely connected with manufacturing interests of various kinds, a man of means and influence, and seems to desire to give our doctrines a fair and impartial investigation.

"Prejudice is yielding and public opinion is turning in our favor in the east, that is, among the thinking portion of the people, and there are many that would like to learn more about us and from a reliable source.

"Persecution has the same effect now upon us as formerly, and the hellish crusade that has recently been inaugurated against us will have the effect to raise us up another flight of steps, and make 'Mormonism' more conspicuous than ever before. What a fool the Devil is! The most effectual way to accomplish his ends would be to let us alone.

"The Lord has His way of working and will use all kinds of means to accomplish His ends."

ALTA CITY.—A dispatch per *Deseret Telegraph*, reports continued storming and drifting in Little Cottonwood. Fears were entertained of the safety of a party who went to American Fork district to work a tunnel three weeks since.

DISTRICT COURT.

The Third District Court, Hon. J. B. McKean presiding, convened in Woodmansee's building at 10 o'clock on Monday morning, December 4th.

Mr. Bates, U. S. Attorney for the Territory, said:

"I desire to present to the Court my commission as United States District Attorney for this district, bearing date of the 28th of October 1871, to which I have appended the oath required, called the iron-clad oath, and have furnished a copy of it to the city of Washington; and understanding that the law requires the oath to be taken here, I desire to take it and enter upon my duties as United States Attorney, for the Territory of Utah."

The oath was administered by the clerk.

Mr. Bates then said: "I now ask your honor, in the case of *The People vs. Brigham Young*, which I understand was assigned for trial this morning, that the defendant be called, to give him an opportunity to be heard if here, and if not that his recognizance be forfeited."

Mr. HEMPSTEAD, one of Mr. Young's counsel, said: "I waive the calling."

Mr. BATES. "I ask that his recognizance be forfeited and judgment of forfeiture be entered thereon."

Mr. HEMPSTEAD. "Before entering judgment of the forfeiture of the recognizance, I desire to respectfully enter my protest against the forfeiture of this recognizance. I am not unaware, your honor, that, technically, the recognizance has become forfeited by reason of the non-appearance of the defendant here; at the same time for the reasons which I have iterated and reiterated in this Court, and as we stated last Monday it would be absolutely impossible for the defendant to be here at this time. And as he is not here, I desire, on behalf of the defendant and his sureties, to respectfully enter my protest against it; and also to say this, as I had occasion to state at an early stage of these proceedings, on my professional integrity, on my own belief not unfounded in reason, that whenever, under the understanding which his counsel had of the matter, his case was set for trial, with that reasonable opportunity and time for the preparation of a case of such magnitude which counsel deemed necessary to enter upon, to ensure the rights of the defendant, the defendant would be here to meet his accusers and stand his trial."

Court. "Let me ask you a question, Mr. Hempstead: Did his counsel, when the matter was before the court, ever understand, or request the permission of the court for the defendant to absent himself from the jurisdiction of the court?"

Mr. Hempstead. "No, sir, I have not stated that, certainly not."

Court. "Did either of the counsel of the defendant, when this matter was before the Court, intimate to the court that the defendant was to leave the jurisdiction of this court?"

Mr. Hempstead. "I think not, your honor, and therefore I desire now, to give notice to the United States Attorney, that if your honor shall deem it proper to set the case for trial, the defendant will appear to answer this or any other charge which may be brought against him. And I now desire to give notice to the U. S. Attorney that when the defendant does appear, as he will to stand his trial, I shall respectfully move, on affidavits and professional statements, to set aside the forfeiture of this recognizance, and submit it to the wise discretion of the court."

Mr. SNOW. "One thing further, your honor, as one of the counsel for the defendant I should like to inquire what is the practice of the court? I believe this is the first case of the kind that has happened since your honor came on the bench. I understood the counsel for the United States, or the people, to ask for judgment on this recognizance."

Mr. BATES. "I asked that an order be entered that the recognizance of the defendant be forfeited, which amounts to a judgment, I suppose, of this court, that it is forfeited. I would like to ask a question of my learned brother, Major Hempstead. Do I understand you to state here, on your professional responsibility as an officer of this court, that the defendant will be forthcoming to answer to this and any other indictments against him within any reasonable time from this day?"

Mr. HEMPSTEAD. "That is certainly my understanding and my firm belief, as I have already stated; and Mr. Bates has known me sufficiently long to know that I would not make such a statement on my professional integrity unless I had abundant reasons for making it."

Mr. SNOW. "That is not exactly the question. If I got an understanding of the U. S. Attorney, he only asks an order for the forfeiture of the bond; he does not ask for the execution."

Mr. BATES. "I did not ask for judgment. I take it for granted when a recognizance is forfeited it amounts to a judgment. When I ask the Court for an execution to collect that recognizance, then it will be proper for these gentlemen to be heard; and I put this question to Major Hempstead with a view to determine what is necessary for me to do; and I am very free to inform the court, also the learned counsel for the defendant, that I shall apply immediately to the Attorney General of the United States for instruction on this subject."

Several matters were briefly talked over between the U. S. Attorney, the late *ad interim* U. S. Attorney and his assistant, and the Court. The Criminal Calendar, or a portion of it, was read over, and some time for trial was attempted to be fixed upon; but the

Court said: "It is nearly three months since this term of the court commenced and I have been sitting here almost constantly ever since. A great many papers have been placed in my hands which, owing to the press of business and sickness in my family, I have been unable to examine. I need time to examine them, and also for rest, and to do this I should like an adjournment of the court."

Mr. BATES. "Your honor shall have time and rest, for me."

Court. "I should like to have a short adjournment."

Mr. BATES. "I too should like to have a short time to examine into important matters connected with my duties in this Court. I was hurried hither from Washington, and your honor is so eminent a Judge that you know an old-fashioned lawyer like myself is not ready to take up cases in a hurry. I want to know what cases are to be tried, and then I will go to work and get them ready."

Court. "Some days ago an application was made in the case of *Thomas Hawkins* for the Court to fix the amount of bail, and also to issue the mittimus. I took it under advisement, and I will this morning fix the bail, which is pending an appeal, of course, at twenty thousand dollars, with two sufficient sureties, and grant the application for the mittimus to be issued."

Then, addressing Mr. Hempstead, his honor said, "Can you say with definiteness when the defendant will be here?"

Mr. H. "I could not, this morning. Your honor will remember our request and our suggestions, that the case go over to the March term; but if that is too long, as I have said before, if your honor will fix it some time after the holidays, sometime in January, or early in February, I have every reason to believe, and so state, that the defendant can be here then, unless something should occur of which I know nothing."

Court. "I have every reason to believe that the defendant could have been here to-day, but I see he is not here."

Mr. H. "It would have been physically impossible for him to have been here."

Court. "It would have been physically possible for him to have remained within the jurisdiction of the Court."

Mr. H. "I admit that; it is unnecessary for me to say anything further on that."

Mr. BATES. "As to the trial of these important cases, and I need not say to this Court, that they are perhaps the most important cases ever tried in this country; and the questions involved in them are of such a delicate character that the eyes of the world, I may say, are on this tribunal, I shall be entirely opposed myself to the postponement of these trials until March. If the counsel for the defendant are satisfied that he can and will be here, I shall be perfectly willing to set them down, say, for the first Monday in January, or possibly the next Monday. I would not consent to go beyond that, because there are matters of grave public interest connected with them. If your honor desires a vacation, which of course I understand, the hard work you have done and the immense amount of labor thrown on the court, I would consent myself, with the consent of the Court, of course, because, I should be controlled in all these matters, as I ought to be, always by the orders of the court, to set the cases down for the first Monday, or say the 8th or 15th of January, with the understanding that all these criminal cases shall occupy the attention of the court until this calendar is cleared, because it is my purpose to try these cases as fast as they occur. To delay them is an expense to the government, and besides the Constitution guarantees a speedy trial to every party indicted for crime, and I shall insist on the trial of these cases on the 8th or the 15th of January at the outside."

Mr. Hempstead. "I concur entirely in the suggestions of the United States Attorney, that as our criminal calendar is now unusually large, there should be a time fixed when we should have what we might term among ourselves a criminal term, that is that counsel who are engaged in civil cases might not be distracted, or the court either, with other matters. I think it would be well that all the criminal cases ready for trial should be tried at such a time. All I ask is, as much time as the District Attorney and the Court can give us."

"It is perhaps proper to call the attention of the United States Attorney, and your honor, to the fact that the next regular term of the First District Court, Judge Strickland's Court, at which there are some criminal cases pending, will commence at Provo on the second day of January—the first Tuesday after the first Monday. Probably a week or two will be expended there, and I suppose the United States Attorney will probably want to be present at that time, so that if we say the third Monday—the 22nd of January—it will probably enable him to get through with that term."

Mr. SNOW. "And in connection with that, I would also state that Judge Hawley adjourned his court to meet on the 11th of January, and it is within my personal knowledge that there is some criminal business down there that may require the

attention of the Attorney of the United States.

Mr. BATES. "I consider these cases here, your honor, of so much importance to the country, as well as to the defendants, that I should make everything else subservient to their disposition. I am instructed by the Attorney General to press them with all reasonable dispatch, giving the defendants such opportunities for preparation, and such treatment in the progress of the trial, as I know they will have from the Court and the District Attorney, as shall prevent the possibility of any complaint of any injustice whatever to any human being; so that if there be business outside this district I should postpone that until the disposition of these cases. I am perfectly willing, as the learned counsel who has so ably represented the Government in this Territory, *ad interim*, is likely to be called to Washington, whither he goes to argue some very important questions connected with the practice of this Court, I should like to have your honor, if you feel perfectly disposed to do so, to fix them, say, I would not consent for them to go beyond the 15th of January, that will give me an opportunity to study the cases and the law, and it will give your honor an opportunity for rest and change up to that period of time. I am content at any time after I have had a few days to examine; but I will leave it with your honor to fix any time between this and that time, only giving me as much time as I reasonably can have."

Court. "This indictment was returned into Court on the 29th day of September last, more than two months ago. A very few days thereafter it was brought up in Court. Defendant's counsel were retained; nine of them appeared. It is to be presumed that immediately when counsel are retained in important cases, or in unimportant cases, they set themselves about making preparation, in view of their duty to their client. When the case was called up in Court, on a motion made, not on an affidavit, but on oral motion, to put the case off until the March term, it was not granted, and the public prosecutor moved the Court to set the case down for some day certain; that was not granted. But the Court then informed the counsel for both parties that the Court would soon adjourn until the 13th day of November, and hold an adjourned term, and that counsel would have opportunity to make their preparation which they were supposed to set about at once, when they were retained. The court did adjourn until the thirteenth of November, and has been in session almost constantly since. After such intimation on the part of the Court, the defendant, it appeared, left the jurisdiction of the court; he is not here to-day—the day on which the trial was to have commenced. Still, though the public prosecutor has moved, and had a right to move, that the Court declare the recognizances forfeited, the Court will not grant that order, the Court will not, this morning, declare the recognizances of the defendant forfeited; but let counsel in all these cases hereafter understand, that the public prosecutor has a right to move any one of them at any time when the court is in session. The counsel are supposed, on both sides, to commence making preparations as soon as the duty to do so devolves upon them. The Grand Jury has adjourned to the second Tuesday—the ninth day, of January; and in order that the session of the Grand Jury shall be regular, it will be necessary that the Court be in session at that time; and whether this case or any other case is moved on that day or not, let it be distinctly understood that the public prosecutor has a right to move any case, and that counsel are expected to be ready, or show good reason for it—some other reason than that their clients have gone beyond the jurisdiction of the Court."

Mr. BATES. "Then I desire to give public notice that on the 9th day of January I shall move on the trial of Brigham Young, on the indictment for murder, and all other criminal cases that stand on the calendar to follow in succession as rapidly as the Court can dispose of them."

Court adjourned until the 9th of January.

SPECIAL TO THE DESERET NEWS.

By Telegraph.

GENERAL.

NEW YORK, 2.—Gen. Dix, in behalf of the citizens of New York, presented a picture of Farragut to Alexis this noon. Alexis accepted the present on behalf of his father, saying it would take its place among the choice collection of the Russian Government. He trusted that peace and good will would never be disturbed between the two countries. Many people were present.

At a banquet this evening at Delmonico's by the New York yacht club to the Grand Duke Alexis, in reply to a toast, the Grand Duke expressed his deep gratitude for the kind reception he had everywhere met with since his arrival in the United States. He said the remembrance of the visit would ever form one of the most cherished recollections of his life.

WASHINGTON, 2.—The report of the