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Trial of the Stars.

WASHINGTON, 3.—Arguments on the motion to set aside criminal information in the Star route cases, began this morning.

The government is represented by District Attorney Corkhill and Brewster, of Philadelphia, Bliss, of New York, and Coon, of Washington; and the defense by Toker, Wilson, Shellebarger, R. G. Ingersoll, Syphen and Jefferson Chandler, of St. Louis.

The argument was opened by Jeremiah M. Wilson. He expected that steps had already been taken in the case, and said there could be no authority for criminal information. He challenged the counsel on the other side to point to any such statute. There had never been in this country a prosecution by information except in the case of minor offenses, such as the collection of revenue, laws where that mode of proceeding has been expressly authorized by the statute. The grand jury was the only recognized authority for the prosecution of parties for crime, but if this proceeding should prevail grand juries might as well be dispensed with in future; but if the prosecution relied on the common law, they must be bound by its rules.

Wilson proceeded to criticise the information for its verbiage, contending that adverbs did not constitute a case and characterizing the gentlemen who drew the information as "champion go as you please adverb and adjective slingers." Was the matter public history? As much as two years ago, Congress elaborately investigated this identical matter and appropriated money to carry out this very contract which it was said was so very corrupt. The facts have been notorious more than two years. What excuse is given for the delay? None whatever. True, the court was asked to allow the information to be filed because three years had about elapsed which the prosecution said would work a bar under the statute of limitations. That was no excuse. It was the fault of the prosecution. They had delayed as long as June last in this very court. The defense asked for action in these cases, but the government refused to act. The prosecution avoided the grand jury because, if they had gone before a grand jury, the documents and papers James spoke of would have to be produced. James' say, as to their contents, they would not have been accepted, nor his statement as to what had been told him by somebody. They kept away from the grand jury because they thought it was necessary to suppress the truth in the matter in order to get a standing in this court. There has been the grossest suppression of truth. If the law called upon an executive officer to make a decision, the law which required him to do so protected him in his decision, and he contended the judicial branch of the government could not, in such a case, infringe upon the executive. The prosecution say that the law gave General Brady authority to make a decision, but that he did it corruptly. Any inquiry as to that should not be held in this court, but in another tribunal, a high court of impeachment. If the contrary were maintained, the prosecution could come on with information and arraign the legislative branch of the government for votes given in discharge of official duties. The government had three co-ordinate branches, each equal of and independent of the others, and this court had no more right to try an Executive officer or Senator or Representative, for acts done by them in the discharge of official duties, than it has to try the Chief Justice of this distinguished court. It was preposterous to say some man, through malice or on account of public clamor, could come and file information in this court against the President of the United States, charging him with corruption in the discharge of the duties devolving upon him. If you can do this, he said, addressing evidently Judge Cox, you can do that. If you allow this, and some man comes in and offers you that, you can not deny it. In order to constitute an offense against the United States, under section 5,440, revised statutes, fraud conspired to be performed must be such a one as has been defined by statute and made a crime; in other words, a conspiracy must be that which if done by one would be deemed a crime by statute. Suppose, for the sake of argument, the accused had unlawfully expedited star routes and increased the service thereon. Was that an offense against the United States? No. The statute has said so. Suppose the accused did everything just as they were charged to have done, had any statute stated that was a fraud? Therefore this case did not come within the provisions of section 5440. He then proceeded to criticize the court's information denying the prosecution hod shown any offense which had been defined as such by statute. The last reason which he presented in support of the motion to quash was a constitutional one. Under the Constitution no one could be held to answer for any capital or other infamous crime except upon the indictment of the grand jury. The crime he charged was infamous and therefore could not be prosecuted by information, and he called attention to the fact that section 1140, Revised Statutes, gave the police court exclusive jurisdiction over all crimes and misdemeanors not infamous, thus implicitly defining all crimes punishable by imprisonment in the penitentiary as infamous. Concluding his argument Wilson said: I know your honor appreciates the importance of questions presented by this proceeding. It is not the accused alone who are interested; the rights and interests of all the people of this nation are involved in this question. If you decide that the District Attorney can, without evidence, present citizens for grave crimes, (for that is what you must do if you sustain this proceeding,) if you decide that a party may be presented for an offense which has not been defined by any statute, as you must do if you sustain this proceeding, you will have to put the laws of this nation back to where England was over 200 years ago. Wilson spoke for over four hours.

He was followed by Bliss, of the government counsel, who said it appeared from the argument just made that the defense had other objections to the information, and that there were other propositions to be made against it. He said he thought it fair before the prosecution should be called upon to answer that all propositions to defer should be stated by Cook, who contended that Ingersoll should present the case of Brown, his client, before the prosecution be obliged to go on.

Ingersoll—I suppose, as we have heard from one of the learned gentlemen on the other side, it may be in order to say a few words in regard to Mr. Brown, but I am free now to contract if either of you gentlemen successfully answer the argument that has been made, I will say nothing about Mr. Brown. [Laughter.]

Bliss said he wished to be perfectly fair about the matter. It might happen some of the points which he was to answer would be presented by Ingersoll, which would necessitate his (Bliss) again addressing the court. He thought, therefore, it would be better for Ingersoll to precede him.

Ingersoll—I may say for the benefit of Bliss I shall insist the facts set forth in this information in regard to Brown, even if all admitted be true, do not constitute any offense. Secondly, I shall insist that the facts set forth in each and every count are contradictory, absurd and impossible. [Laughter.] It is impossible any such facts should be done in any such way. Now, that it is my general statement, that there is nothing in this information charging Brown with any indictable offense whatever. Information needs facts is another question. I shall insist it is impossible that Brown ever consired with Brady to influence Brady, or that Brady ever conspired with Brown to get Brown to influence him. [Laughter.] I shall insist that Brown never conspired with Brady to give a contract to McDonough, and that thereupon McDonough never conspired with Brady and Brown to have the contract declared null and void. I shall insist McDonough never conspired to cheat himself, and that he never went to the extent of having Brown to help. [Laughter.] I shall also insist that it is not within the horizon of the probable, that any man ever paid $5,000 or $16,000 to get one man to conspire with another man as well as himself to defraud himself. Now, I think I have given a general view of the course I intend to pursue so far as Brown is concerned. I shall also insist on the affidavit of James, to the effect that certain contracts are on file in his office that Brown went to New York with an illegal object. I shall also insist that when James states in his affidavit he has had communication with certain persons that these persons shall be brought into court. I shall insist when he speaks of contracts these contracts shall be brought into court. I shall insist the same in regard to the affidavit of Woodward. And finally, I shall insist (and here Ingersoll dropped his bantering tone and spoke seriously, emphazing his remarks with blows of his hand upon the table) that in this country or any other country Saxon blood gives evidence of liberty and manhood. The grand jury stands between the citizen and his calumniator, no matter if that calumniator is an officer of the Cabinet or the President of the United States. This sentiment was loudly applauded by the spectators, and it was some time before order was so far restored as to permit Ingersoll to proceed, which he finally did, as follows: I shall also insist before I get through with the case of Brown that the grand jury is placed between the citizen and his reputation to provide for precisely a case like this. I shall insist that when a high official of this nation states, though he has not yet convicted my client, he has branded him, I shall insist the grand jury stands between that official and the citizen, and prevent him using that brand. I shall insist that information has been found improperly, illegally and contrary to the spirit of American liberty. Now I have given you my general view of the course I intend to pursue. (Laughter, which was increased by the serious manner in which Cook inquired of Ingersoll, the authorities upon which he relied.

After some sarcastic remarks between the counsel it was finally agreed that Bliss should open for the government to-morrow morning and that he should be followed by Ingersoll, but that if the latter advance a proposition to which Bliss might desire to reply, he would be permitted to do so. The Court then adjourned.

Guiteau.

In the Criminal Court this morning, the counsel for Guiteau made a motion for delivery to the proper Clerk, the court papers belonging to the prisoner. He also asked for a further postponement of the case. The Court reserved its decision.

Appointments.

President Arthur to-day appointed Nathan Evans, of Manhattan, Missouri, Pension Agent at St. Louis, vide Rufus Complons, whose term expired.

President Arthur left for New York this morning, accompanied by Secretary Hunt.

Sexton Sick.

NEW YORK, Nov. 3.—The *Herald's* Dublin correspondents sought an interview with Mr. Sexton immediately after his release, but was informed that he had retired to rest at once, and was then being examined by a medical man, who had been called a few minutes after Mr. Sexton reached home. The physician stated his patient is in a very bad condition, and very much worse than before his incarceration. Mr. Sexton is suffering from a complication of disease, including febril pneumonia, spinal irritation and gastric disturbances. He has been ordered abroad, at the earliest moment when he can be removed. He is at present unable to travel. As a matter of fact, this course had been urged upon him long before his contemplated arrest, owing to the precarious condition of his health. It now appears absolutely necessary that he should seek a more genial climate. There was no conditions attached to his release. During the eighteen days imprisonment, he was confined to his bed, and for seven days he was in absolute solitude. Mr. Sexton speaks in the highest terms of the treatment received from all the officials in Kilmainham jail.

Emigrants.

Twenty-five hundred emigrants arrived to-day, mostly Germans bound for the West.

James' "Jeannette."

The sum of the five Arctic expeditions of the year so far as can be traced in regard to the *Jeannette*, is that they have not brought back a shadow of a trace or a rumor of her. Yet there is no ground on this account for any great uneasiness. De Long had expected to be absent three years, and this period will not have expired until the summer of 1882. He may yet be back in season to go in search after the *Rodgers*.

Helen Taylor.

Henry George telegraphs to the *Irish World*, that Helen Taylor, daughter of the late John Stuart Mill, addressed the Ladies' Land League in Dublin to-day. She said: Never did Austria commit, in her provinces in Italy, any atrocities to be compared with those now perpetrated in Ireland under Gladstone's administration. I have traveled much, but only one country have I seen in where what is now happening in Ireland would be possible, and that country is ruled by the unspeakable Turk. The English people must soon awake to the sight of the crimes perpetrated in their own country.

A Straight Steal.

The *Times*, in a review of the Newark Bank affair, says: While the statements of Baldwin and Nugent & Co. flatly contradict each other, and there is no plain track left of the abstracted deposits, there seems to be a growing suspicion that the implicitly trusted and able cashier has been speculating largely in stocks, and that his ready loans to Nugent & Co. will not account for the money that has been stolen.

A Permanent Injunction.

The United States Circuit Court made a permanent the temporary injunction restraining Samuel J. Tilden from disposing of the stock of the New York iron mines.

Bliss and His Bill.

CHICAGO, 3.—One of the surgeons in attendance on President Garfield says: The bills for medical attendance has not yet been presented to Mrs. Garfield. The intention is to send the bills to her receipted and allow the friends of the late President to carry the matter to Congress and ask for an appropriation to pay them. The bills will be made large enough, so that if Congress cuts them down, they will still be large enough to pay the doctors liberally for their services. Bliss complains in consequence of giving all his time to the late President that his practice was broken up and the doctors nearly all shun him because of his violating the code of medical ethics in holding on to the case after the President's family physician, Dr. Baxter, made his appearance.

BRIEF TELEGRAMS.

Snow in Chicago.

A Dutch steamer brought $250,000 in gold yesterday.

Latti Meolini and J. W. Mackay have arrived in New York.

Confederate bonds, after considerable advance, declined to £1 12s per £100.

A Genoa dispatch says that the great steamship owner, Rafaelo Rubatino, is dead.

Russell Sage and Jay Gould have been elected directors of the New York elevated railway.

It is stated that five political prisoners were tried at St. Petersburg last week. The authorities maintain secrecy.

The cruiser which lately returned to Cronstadt, is reported as having been searched and several of the crew arrested.

The League leaders have changed their front and directed their claims under the land act, with a view to swamping the commission.

Accounts of the affray at Balmullett, last week, appear to have been exaggerated. It is now stated only one death resulted from the shooting.

A tenant farmer named Doherty, was shot dead last evening while entering a house at Carrigan, Galway, it is believed because he had paid his rent. Two persons were arrested.

It is contemplated to summon Parliament for the dispatch of business on the 19th of January to give additional time to discuss the rules of procedure and the Parliamentary oath difficulty.

A special reports the explosion of a portable steam saw mill boiler, near Cotton, Jackson County, Ohio, yesterday afternoon. The mill belongs to Davis & Jones. John Davis, one of the proprietors, was fatally injured, and David Griffith seriously, and perhaps fatally injured.

A special from Washington says, a few months ago an electric light was introduced into the Philadelphia post office, the bill for which has just been presented. The Post-office Department shows that last October when gas was used, the bill was $1,184; while last month, with the electric light, the bill was $354, a saving in one month of $830.

The Dream That Frightened a Woman.

A lady in Bath was recently much alarmed by dreaming that some one was holding her wrist. Vainly endeavoring to scream for assistance, she succeeded at length in whispering just loud enough to awaken herself. After a few minutes' relief at being no longer under the influence of the dream, she became conscious that some one was really holding her left wrist, and all her strength was inadequate to release it. Whether to call her hostess or not was easily decided, for her terror rendered her as speechless as she had been before awakening. It could not be that any of her friends had seized her wrist in sport; it was too rigid a clasp and had been continued some time, for her left hand was cold and numb. But just as she should be able to speak in a moment, she found the relentless grasp was that of her own right hand, and not easy to withdraw from its twin companion, so desperate had become its hold.—*Bath (Me.) Times.*

IT PAYS TO BE POLITE.—A gentleman at Bridgeport was an interested and amused party in an episode which occurred Friday evening at the South Norwalk depot. While strolling about the platform waiting for a train, he saw a woman slip on something and nearly fall. Full of sympathy and politeness, he hurried to the rescue and assisted her to rise. As she assumed an upright altitude, however, something escaped from her possession that at once caught her benefactor's eye. It was nothing else, than his valise, which he had left in the depot a minute before, and which it appears the distressed female was trying to get away with. The gentleman is more than ever convinced that politeness does pay.—*New Haven Palladium.*

THE OLDEST LIVING TWINS.—Probably the oldest living twins in existence in all this country are George and Edmund Gravely, who in good health are still living within five miles of each other and within three miles of where they were born, at Leatherwood Post Office in Henry County, Va. They will be ninety-three years old the 1st of December, 1881. Their mother lived to be over 100, and their father died at the age of ninety. Leatherwood is the same place in Henry County where in 1861 ninety-six Gravely's voted the Whig ticket.—*Reidsville Times.*

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A lovely tonic and Hair Dressing. It removes Dandruff, allays all itching, stops falling Hair and promotes a healthy growth with a rich, beautiful gloss, and is delightfully fragrant.
Price Seventy-five Cents in large glass stop Bottles. Sold by all Druggists.

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Manufacturers of all sizes, single and double strength,
WINDOW GLASS
19th and Mary Streets, Pittsburg, Pa.
Our goods are kept in full line by Lattimer, Taylor & Co., Salt Lake City. dem

USE NONE BUT THE BEST
THE GREAT FAMILY
SOAP MAKER
SAPONIFIER
THE ORIGINAL
CONCENTRATED LYE
SOLD BY ALL GROCERS
PENNA. SALT MFG. CO. PHILA.

ESTRAY.
I HAVE IN MY POSSESSION A SMALL Red Cow, about ten years old, crop off and upper bit out of both ears, brand in left ear. The owner will please call and take her away.
EDWARD BIXBY,
287.6t 13th Ward.

THE
FRENCH & GERMAN
LANGUAGES
Taught according to the most approved system, by
J. H. HEMAN, Teacher,
First South Street,
Opposite Continental Hotel, Salt Lake City.
Private Lessons, 50cts. per Hour.
Class " 25 " "
Class of 20 Lessons in advance $5.00.
Every evening, except Sunday, from Seven till Nine o'clock.

OVERLAND HOUSE,
Three Doors South of Walker House,
MAIN ST., SALT LAKE CITY,
Better Accommodations at Less Rates than any other Second-Class House in the City.
Terms $1.00 to $1.75 per Day.
SINGLE MEALS 25 CENTS.
W. A. PITT, Proprietor.
Street Cars pass to and from Depot.

W. L. PRICE,
DEALER IN
Poultry, Fish & Game,
FRUIT, VEGETABLES & GROCERIES.
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Goods delivered punctually in all parts of the City Free. Satisfaction Guaranteed.

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All kinds of Fancy and Ornamental Boxes Made to Order.
DRY GOODS & BOOT BOXES
Of This Lumber a Specialty, to hold ONE DOZEN PAIRS of BOOTS, 7Sots.
These are Genuine Articles that can not be beat in America at the price!
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ADMINISTRATOR'S SALE.

NOTICE IS HEREBY GIVEN THAT in pursuance of an order of the Probate Court of the City and County of Salt Lake, in the Territory of Utah, made on the 14th day of October, A. D. 1881, in the matter of the estate of Obed Taylor deceased, the undersigned administrator of the estate of said deceased, will sell at private sale, to the highest bidder for cash, on Monday the 31st day of October, A.D. 1881, at 12 o'clock m. at the office of said deceased on the third floor of the Deseret National Bank buildings in said city and county the following perishable property, viz:

Plans, specifications, drawing paper, drawing instruments, office furniture, drawing boards and other similar property usually used and used by the architect.

Dated Salt Lake City this 19th day of October, A.D. 1881.

JAMES WATSON,
Administrator of the estate of Obed Taylor, deceased. d10t

NOTICE TO CREDITORS.

Estate of Obed Taylor, Deceased.

NOTICE IS HEREBY GIVEN, BY THE undersigned, Administrator of the estate of Obed Taylor, deceased, to the Creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within ten months after the first publication of this notice, to the said Administrator at his Office on South Temple Street, Salt Lake City, near the Eagle Gate, in the County of Salt Lake.

Dated at Salt Lake City, October 7th, 1881.

JAMES WATSON,
Administrator of the Estate of Obed Taylor, deceased. d 267 1m

NOTICE.

ALL PERSONS KNOWING THEMSELVES to be indebted to the Estate of Obed Taylor, deceased, are requested to call at the Office of Watson Bros. on South Temple Street, and settle immediately.

JAMES WATSON,
Administrator.
d 267 1m