

THE EVENING NEWS.

GEORGE Q. CANNON.
EDITOR AND PUBLISHER.

Thursday, - - - August 3, 1871.

THE COMING ELECTIONS!

THE PEOPLE'S TICKET!

Commissioners to locate the site of the
L. S. HILLS,
JOHN VAN COTT,
JOHN ROWBERRY.

Councillors to the Legislative Assembly,
for Salt Lake, Tooele and Summit
Counties.

WILFORD WOODRUFF,
GEO. Q. CANNON,
JOS. A. YOUNG,
WILLIAM JENNINGS.

Selections for Salt Lake County.
REUBEN MILLER,
Bridgman President.

For Justice of the Peace.
HENRY RUDY.

For Justice of the Peace.
SAMUEL WING.

For Justice of the Peace.
SOL J. DESPAIN.

For Constable.
JOSEPH SNELL.

For Justice of the Peace.
A. D. HEATON.

For Constable.
JOHN HOGAN.

For Justice of the Peace.
H. C. HULLINGER.

For Justice of the Peace.
JAMES D. MAEHRER.

A SPECIAL correspondent of the *Alta* California has been interviewing Gen. B. F. Butler at Boston upon Utah matters. According to the correspondent, General Butler is in favor of enforcing the law of 1861 against polygamy—he means, we presume, the law of 1862. Congress had settled by that law, he thought, that polygamy must be abolished. After conversing awhile upon this point the subject of California having a currency distinct from the rest of the Union came under discussion, and Gen. Butler said respecting this, in reply to remarks of the correspondent, that

"The Constitution of the United States may not admit of a passage of a general divorce law, or any law governing the domestic relations, but it does provide, without question, for the establishment of the coin or currency of the country. This has been provided by law, and no State has a right to reject it. She does herself an injury, isolates herself from the common sisterhood. Technically, California is guilty of the same kind of a breach of covenant as the community of Salt Lake."

General Butler's remarks here quoted concede the whole of the points contended for by the people of Utah. He admits that the Constitution of the United States may not admit of the passage of a general divorce law, or any law governing the domestic relations; the passage of the anti-polygamy law of 1862 must be unconstitutional. Would he enforce a law which, or even may be unconstitutional? Who he places "the community of Salt Lake" upon the same footing as California in being equally guilty of a breach of covenant, he errs, for, according to his own showing, California has rejected a law of Congress which that body had a constitutional right to enact, which "the community of Salt Lake" has never done.

The conversation again turned upon the affairs of Utah, and the correspondent gave his views and Gen. Butler gave his; but as they were both evidently ignorant of the questions discussed, there was only one remark elicited worthy of comment. The correspondent asked the question whether it would not be possible to confiscate the property of Brigham Young. Gen. Butler replied, "Possibly, if he should commit any overt act; but he has always been shrewd enough to avoid open rebellion."

If Gen. Butler waits for the overt act to be committed before confiscation shall be commenced, he will not live long enough to witness or hear of it. President Brigham Young and many of his people have been driven from their homes and robbed of nearly all they possessed five times before coming to these mountains, and those who plundered them did not wait for an "overt act" to be committed. It is a new reason to render for the non-confiscation of the property of "Mormons" to say that they have not committed such an act. The world is surely progressing, for there was a time when acts of this kind could be manufactured to form a pretext for robbery and violence of the most shameful character.

spond to it. The Warden also informed the U. S. Marshal, at that or on a subsequent visit, that the Territory, having furnished several thousand dollars for the erection and repairs of the institution, was considerably interested peculiarly therein, and that before vacating his office as Warden, if vacate it must, be preferred to have the matter adjudicated by a proper court of law. The Marshal, however, would not listen to any such proposition, or agree to any such preliminaries, and yesterday again made a verbal demand on Warden Rockwood for the surrender of the institution into his care; at the same time intimating that if he demanded was not complied with immediately he should use force to evict him. The Warden protested, verbally, against the proceeding, and this morning delivered the following, in writing, to U. S. Marshal Patrick:

"Utah Penitentiary,
Warden's Office,
August 2nd, '71.
M. T. PATRICK,
U. S. Marshal, for Utah Territory.

Sir,—You having demanded of me the surrender of the Penitentiary, Utah to yourself as U. S. Marshal, and informed me that you complied with the demand you would take it by force, I have now to inform you that if you take the Penitentiary, it will be under my protest, and that what you permit me to remove I will take away, and what you retain or do therein you will be held accountable for.

Yours Respectfully,
A. P. ROCKWOOD,
Warden of U. S. Penitentiary.

Notwithstanding the protest of the Warden, yesterday afternoon the U. S. Marshal took possession of the institution, the Warden offering no resistance, and by to-morrow morning, as Warden Rockwood is, we understand, moving his family and effects to-day, the institution will be wholly under the control of the U. S. Marshal and his employees. And there the matter rests for the present. As far as the rights of the Territory, pecuniary and otherwise are concerned, steps will probably be taken to test their legality, at some time in the future, though, if left to the parties who now control the courts, there is little question as to what the result will be.

The Warden, in delivering a written protest to the Marshal, has done what the duties of his position required, for being the financial officer of the institution and under bonds to the amount of several thousand dollars to the Territory, he, at the present stage of the proceedings, could do no less, for the safety of himself and interest and the interest of the Territory, than to enter a protest against forcible eviction from the institution. What the future may develop in relation to this matter will be awaited with considerable interest.

By Telegraph.
FOR WESTERN UNION TELEGRAPH LINE.

Afternoon Dispatches.

Important Decision in the
McGarrahan Case!

Investigation Meetings Regarding
the Alleged Official
Corruption in New
York.

Thiers, Von Beust and Granville
will Confer on the
International Society.

WASHINGTON.
The McGarrahan case.

WASHINGTON.—The McGarrahan case was finally and fully disposed of so far as the interior department was concerned, yesterday. Neither McGarrahan nor the New Idria is adjudged to have a valid claim. Both parties now stand in just the same relation to the lands in dispute as do every other individual in the United States. Under existing laws for the regulation of mineral lands all the lands, according to the decision, belong to the U. S., to be disposed of just as though no claims had ever been made for them. Secretary Delano, in taking up the case, proceeded as though it were a new one, whose merits had never been discussed, it was a new case to him, as he had never examined it or been associated with it in any way. His first step was to put each case upon its own ground, with a view to decide between the government and each party, instead of between the two parties. He had a complete history of each case made up, embodying every fact concerning either, which could be obtained. The investigation was the most thorough ever made of the case, and new and material evidence was discovered, and it is quite clear that the government had as much, if not far more, right to these valuable mineral lands than either of the claimants. The decision no bar to either party, against its going before Congress, and in all probability, the fight will be resumed there, but this decision will introduce an element into the discussion not before much considered, and the same evidence which has determined the case now will have a chance to be examined by Congress, which will have to take the responsibility of a decision against the government in favor of either party, if one be ever made.

By the appended syllabus of the decision of the Secretary of the Interior, rendered to-day, in the McGarrahan case, it will be seen that the claims of both McGarrahan and the New Idria Company are rejected, and the property is declared to belong to the United States. This is understood to be the final disposition of the case under existing legislation, unless the New Idria Co. may be allowed to go on and perfect their proof, as to so much of their property claimed, as they may be rightfully entitled to under the existing laws touching mineral lands. There was an application by McGarrahan, to the Secretary of the Interior, requesting him to advise the President to direct that the certificate which had been written across the last page of the record of the patent of McGarrahan, Grand order of Secretary Cox, to the effect that the patent had never been executed, should be erased and cancelled. The Secretary held, in accordance with the advice of Assistant Attorney-General Smith, that the Secretary of the Interior had power to correct the renewal of a patent at any time before it is delivered, so as to make it correspond with the facts, that the Secretary had not been so advised, and that the facts, but might depend upon the statements and evidence of his trusted sub-

ordinates, that this power of correction extended to transactions that occurred prior to his appointment to office, provided they were then inchoate; that Secretary Cox having died upon the subject, it was *res adjudicata*, and should not be reviewed or reversed, even though he should differ with his predecessor. But that in fact he did not differ with him, that the weight of evidence showed that the Panoche Grande patent was never executed by the President, and therefore he was obliged to decline to grant the prayer of McGarrahan, in the case of the New Idria Company, the Secretary of the Interior, on the advice of Assistant Attorney General Smith, held that the application of this company for a patent for 480 acres, covering the New Idria quicksilver mines, was irregular and defective, and should not be granted for the following reasons. It appeared that the survey had been made and approved, and that the papers were forwarded to the Commissioner of the general land office, at the institution of the company and against the express orders of the Interior Department, that department, having directed that proceedings should be stayed in accordance with a joint resolution that passed the House of Representatives, April 1st, 1867, there was no proof that the notice and diagram were such as are required by law. The application and advertisement did not agree in their description of the claims that had been assigned to the company. There was no proof that the members who comprised the new Idria Company, or any of those who had assigned to them, were citizens of the United States, or persons who had declared their intention to become such. The only evidence on this point was a certificate that they were a corporation, created under the laws of California, and that was held to be insufficient proof. The application asked for a patent for 480 acres, being tracts 730 rods long and 120 wide. The secretary held that this claim exceeded the section four of the act of July 1st, 1866, which limited the grant, to any association of persons, to not more than 300 feet.

NEW YORK.

The alleged official corruption.
NEW YORK, 3.—The *Tribune* says the promised accounts of the comptroller's office, will be distributed to-day for publication, although they are private. It is said they will be kept back till after the first of the meetings called for the purpose of investigating the alleged irregularities. The convention for public meetings have been issued, and one is denounced by the other as a fraud designed to divert attention and to divide the forces of those who are disposed to bring the case to a trial. We arrived here March 7th, and in this and the adjoining county of Bedford we have been laboring since with more or less success, having baptized some few with a prospect of many more yielding obedience to the gospel. We organized and sent out a company from here of twenty-eight persons, who left here the 30th of May, arriving in Salt Lake City the 11th of June, all safe.

PACIFIC COAST DISPATCHES.

SAN FRANCISCO, 2.—California Lodge No. 19, Independent Order of White Men, were incorporated to-day.

The Democrats have nominated Tyler Curtis for Mayor, and have re-nominated Hon. Jas. W. Dwinelle for Judge of the 15th District Court. The Republican County Committee has appointed as a delegation to the Legislative Nominating Convention the entire list of delegates who represented this city in the Sacramento State Convention, and ordered that no proxies be allowed in the convention, but in case of absence or vacancies the remaining delegates from the ward may cast the vote or may appoint other delegates to fill the vacancies. The convention is to meet to-morrow evening at 8 p.m.

Capt. Parker, superintendent of the Pacific Coast wrecking company, who went down to Ecuador to investigate the condition of the wreck of the Spanish frigate *Scotia*, sunk in 1862 with four millions of treasure on board, returned by the last steamer and reported the prospect for saving the bulk of the treasure excellent. He thinks not more than one million has been raised, and the remaining three millions can be got at with comparatively little difficulty.

Two Chinamen were arrested last night in the act of attempting to kidnap a Chinawoman and carry her off in a hack. They are both booked for kidnapping, and one of them for assault with a knife. The Chinawoman was on the head with a hatchet.

SAN FRANCISCO, 2.—Col. A. L. Dudley, late of Calaveras, is announced to open the campaign for the Democratic ticket, at Shasta on Saturday evening, August 5th. He will canvass the State for the Democratic ticket.

The lottery ticket business is very quiet, so far, this month.

There is something doing all the time in the new Grass Valley lottery and the Calaveras and Stockton fire department lottery, but the fever appears to be dying out.

James Gamble, general superintendent of the W. U. Telegraph Company, who returned two days since from the East, very late, is recovering.

Judge Sawyer, to-day, sentenced Joseph King Holman to a year in the county jail, for stabbing a man named Bennett, on the city front on Sunday morning, with a pocket knife.

A. M. Leternich, an Austrian, who has been humbugged by a lawyer, and having persons arrested on false charges for several weeks, was sent to the insane asylum to-day.

Arrived the U. S. gunboat *Mohican*. The bark *Emma C. Steele*, from Newcastle, brings a large shipment of fresh cranberries, the first from that source ever received here.

The *Oregon Monthly* will come out next month as illustrated magazine. The first illustrated article will be on the old missions of Southern California, and the second on the Marine Island Navy Yard.

Blocks are generally a little stronger to-day.

VALLEJO, CAL., 25.—Carlos Ferreira, brother of Nicola Ferreira, a large ranch owner, has just been shot, and is reported dead. The difficulty was between him and Anton Manuel, at a ranch three miles north of this place. Anton Manuel delivered himself up, claiming that he did it in self-defense.

STOCKTON, CAL.—At eleven o'clock this morning, July 28th, the woman who was shot by Mrs. N. J. Seviere, in the Grand Hotel, on Monday night, died from the wounds received. An inquest is now being held. N. J. Seviere, who has been under arrest since the time of shooting, was discharged from custody to-day, and nine persons, doubtless wishing to intimidate him, served a prison term of three months, stating that his presence was desired in this city, and gave him eight hours to make himself scarce, or suffer a penalty of a coat of tar and feathers. Mr. Seviere is said to be here for parts unknown, by the evening train.

FOREIGN NEWS.

GREAT BRITAIN.
LONDON, 3.—A special dispatch to the *Times* from Santar reports that the insurrection in Albania has been suppressed.

ern question, is really to be held in relation to the International Society.

FRANCE.

PARIS, 3.—Two hundred and thirty witnesses have been subpoenaed by the French post office is about arranging a money order system with England and America.

The *Official Journal* contains the appointment of Komusat as minister of foreign affairs.

Correspondence.

TAYLOR'S STORE,
Franklin Co., Virginia,
July 15th, 1871.

Editor *Deseret News*.—Dear Brother, In January last we were called to take a mission to the Southern States. In pursuance of this call and appointment we left our families and homes, on the 2nd of February, arriving at Omaha on the 25th. Thence out ten miles to Crescent City, in Iowa, to visit some of our old friends and relatives living there, who were very glad to see us. They wished to know if we had good meetings in Utah, like we used to have; and did we enjoy ourselves like we used to? and many other questions of a similar nature, showing very plainly that they were starving for the word of life, and truly feeding on husks. Some of those we visited have since gone up to Utah, and others expect to gather up next spring.

While passing from Crescent City through Council Bluffs to the Rock Island depot, a friend in whose company we were said, "There lives an old Nauvoo Mormon." This farm belongs to Salt Lake Mormon, and that store is kept by one that used to preach the gospel in England. And that lively store belongs to a Mormon; and so on till we were ready to arrive at Omaha on the 25th. The city and county had once belonged to the church. And from all we could learn, a great many, if not all, are more miserable than they ever were in their lives before.

We made short stay in both Chicago and Harrisburg, arriving in Washington, March 4, a few minutes after the forty-second Congress was organized. We put up at the Hamilton House, with our Delegate, Hon. Wm. H. Hooper, and were treated very kindly. Through his courtesy we were introduced to several of the Senators and Representatives, and some of the Cabinet, all of whom manifested very kindly feelings towards us and our people, and our Delegate in particular, who certainly has gained many friends in the capital, and among our national representatives.

We arrived here March 7th, and in this and the adjoining county of Bedford we have been laboring since with more or less success, having baptized some few with a prospect of many more yielding obedience to the gospel. We organized and sent out a company from here of twenty-eight persons, who left here the 30th of May, arriving in Salt Lake City the 11th of June, all safe.

The priests of the numerous sects here are thundering forth their lies against us and our work, being united in nothing but their opposition to the truth. And we are thundering forth the gospel of life, in meekness, minding our own business. Their thunder has the more effect with the wicked and corrupt, ours has the greatest power with the honest seekers after truth.

When harvest is over here, yielding but a light crop. It is thought that the state will not average more than three bushels of wheat to the acre now. Oats are scarcely worth cutting. Corn looks well. All the fruit crops are very light. Money is very scarce, and consequently times hard.

Through this medium we expect all our friends to hear from us, and you, dear Brother, and all the Saints will remember us in their prayers, we remain as ever, your fellow laborers in the great cause of truth.

H. G. BOYLE,
THOMAS E. DANIELS.

Notice and Woe.

The Banda Islands, where a hurricane recently destroyed the nutmeg and mace crops, inflicting damage to the extent of \$2,000,000, of whom 5,000 are Europeans. The Banda Islands are all lofty and volcanic, and Gunung Apes rises 7,880 feet above the sea, and is one of the most active volcanoes in the Malay Archipelago, subjecting the other islands to the ravages of frequent and destructive eruptions and earthquakes. The four largest of the Banda Islands are exclusively appropriated to the cultivation of the nutmeg tree, 400,000 pounds of nutmeg and 130,000 pounds of mace being produced annually. The nutmeg tree is about thirty feet high, resembling an orange tree. The fruit, which appears on the tree mingled with the pale yellow flowers, is the size of a small peach, and is at first of a light green color, and when ripe in yellow and marked with a longitudinal furrow. The exterior covering, at first thick and fleshy, and afterwards becomes dry, and separating into two halves discloses a scarlet network or membrane known as "mace," which covers a thin brown shell which contains the kernel or nutmeg. The fruit is gathered by hand, and the outside covering being rejected, the mace is carefully separated and dried in the sun. The nuts are dried in the sun or in ovens, and exposed to smoke till the kernel rattles. The shells are then broken open, and the kernels having been steeped in lime water, are packed in chests for exportation. The nutmeg tree is produced from the seed, and does not flower until the ninth year, when it bears fruit and flowers together without intermission. It is said for seventy years the nutmeg tree does not arrive at maturity until its ninth year, the recent hurricane must have entirely destroyed the plantations in the Banda Islands, or else the report would not have been transmitted that the growers were utterly ruined and would not be able to obtain a crop for several years.

ARRIVALS.

TOWNSEND HOUSE

AUGUST 2ND.
Mrs. John Keller, Cincinnati; Mr. Mungrave, wife and sister, England; Mr. H. N. Y. Gen. W. W. Jones, Omaha; H. Holcomb, Miss Maggie Holcomb and servant, Mrs. H. A. Holcomb, N. Y.; John Seversons and family, San Fran; H. A. Hanson, Chicago; P. C. Rush, Henry Aliman, N. Y.

AUGUST 2ND.
B. B. Graham, St. Louis; Miss Walle, Pa.; W. Cameron, China.

SALT LAKE HOUSE.

AUGUST 2ND.
Robert I. Danagh, John Danow, N. Y.; D. H. Lunderbach, Philadelphia; S. Silverman, Chicago; C. D. Velen, Wm. Renahay, John Lingle, Daily Review, Corning; T. Oliver, J. W. Hughes, N. Y.; H. E. Nevada, C. H. Higgins, Omaha; Thos. Carroll, Cottonwood; S. C. Gardner, Chicago; Henry Smith, Ophir; A. J. Pittman, Cottonwood; J. W. Moyle, San Francisco, N. Y.

AUGUST 2ND.
R. K. McKelvey, Mr. Wm. W. Foushee, Mrs. A. C. Smith, P. H. Smith, and Mrs. E. F. Prewitt, St. Louis; Dr. Geo. W. Brown, Kalamazoo, Michigan.

FOR SALE: HATU
A FIRST-RATE TWO HORSE OPEN
July 18, 1871.
J. C. LITTLE

ANNUAL ELECTION.

An Election will be held on Monday the 7th day of August next, at the usual place of holding elections in the several precincts in Salt Lake County, for the purpose of electing a County Commissioner, to reside in said County.

Members of the Council of the Legislature a member of the Territory of Utah.

County Clerk's Office,
Salt Lake City, July 27, 1871.

FOUND!

In the mountains 15 miles West of Woodruff City, one large bay American mare and one small bay mare, both branded Spanish brand on left hip. Both wild.

The owner can have them by applying to JOHN D. BOYDE,
d216 S. W. 2nd Woodruff City, Rich Co., Utah

SALT LAKE

THEATRE.

Doors open at 7:30. Performance to commence at 8

FRIDAY EVENING,
AUGUST 4, 1871.

FOR TWO NIGHTS ONLY!

William Horace Lingard, Alice Dunning (Lingard), Miss Dickie Lingard, Mr. B. F. Dunning and Mrs. Susan Galt.

The performance will commence with the splendid one Act Comedy, entitled

THE CAPTAIN OF THE WATCH!

Captain of the Watch,
WILLIAM HORACE LINGARD
Soloph. "Waiting Down Broadway," "The Gay Musician," "Dutch Omelette," "The Young Widow," "The Young Girl of the Day."

Also the Old Favorites:
"The Young Widow," "The Captain of the Watch," "The Gay Musician," "Dutch Omelette," "The Young Widow," "The Young Girl of the Day."

To coincide with the Amusing Comedietta entitled

MARRIAGE AT ANY PRICE!

Peter Pepper, (afterwards disguised as a woman),
Kate Pepper, (afterwards disguised as a man),
Miss D. Lingard

Thomas Taylor, John G. Cutler.

TAYLOR & CUTLER

Opposite Salt Lake House.

SELLING OFF

Their Large Lot of

STOVES!

Lower than ever offered in this City.

A No. 7 Charles Oak Stove,
Painted Copper Furnace, \$26!
Kale 5 cts. Retail—Less by the Keg.
Glass 5 x 10 5 cts. Light—Less by the Box
Iron 6 cts. lb.

An Excellent Assortment of

Hardware & Tinware

In Proportion.
Washbasins, Iron Tinned, 15 cts. each.
Tinned Iron Claps 5 to 10 cts. each.

Now is the Time to Buy

As we shall not replace our Stock in the above kinds of Goods.

No orders or due bills taken or time given in the Hardware Store.

MARSHAL'S SALE!

PURSUANT to an order of Sale to be directed by the Third Judicial District Court of the Territory of Utah, I shall expose at public sale, on the steps of the United States Court House, in Salt Lake City, on Thursday, the 10th day of August, A. D. 1871, at 10 o'clock a. m., the following described

Beginning at a point two and a half (2 1/2) rods north of the North-west corner of Lot number five (5) in Block number eighty-two (82) in First A. Salt Lake City Survey, thence

thence north three rods, thence east ten rods, thence south three rods, thence west ten rods, to the place of beginning, together with all and singular the premises, hereditaments and appurtenances thereunto in anywise belonging or in anywise appertaining.

The same being sold to satisfy a mortgage in favor of Joseph A. Young, of said p. embler, given by William Sanders.

Terms of the SALE.

ATWOOD & BODWELL,

MANUFACTURERS OF THE EXCELSIOR and GOLDEN STATE WIND MILLS, LITTLE GIANT HORSE POWERS, BRASS PUMPS, WATER TANKS, &c., &c.

N. B.—We have made the Manufacture of the above machinery a Specialty for the last ten years, and guarantee all our work. d214 ly

LICK HOUSE!

Corner of Sutter and Montgomery Sts.,
SAN FRANCISCO.
JNO. M. LANDER & CO.,
Proprietors.

UTAH

CALIFORNIA

LUMBER COMPANY.

Incorporated July 17th, 1871.

Capital Stock \$75,000.00!

Dealers in all kinds of

BUILDING MATERIAL

LUMBER,
DOORS,
WINDOWS,
Venetian Blinds, etc.,

All Kinds Mouldings,
Chico Sugar Pine.

Celling,
Siding,
Flooring.

California Redwood,
Rustle Siding,
Flooring, etc., etc.

Orders for MILL TIMBERS
Promptly Filled.

All Business done through the President of the Company.

DOORS, SASH, BLINDS, MOULDINGS,
Main St., 4 Doors South Walker Bros.

OFFICES—LUMBER YARD,
One Block South R. R. Depot.

E. H. BARRON,
President.

D. W. PARKHURST,
Secretary.

CHARLES DAHLER,
Treasurer.

TEASDEL & CO.

AGENTS FOR:

BLISS' SEWING MACHINES!

The above individuals are given in from four to eight seconds each, displaying that consummate mastery over the expression of the features instantly moulded to the character represented by an electric change of color, as to appear almost supernatural.—N. Y. *Tribune*.

TEASDEL & CO.

BOOT & SHOE

Manufacturers!

TEASDEL & CO.

Wholesale and Retail

Grocers & Provision

Dealers!

TEASDEL & CO.

Dry Goods.