

## THE TESTIMONY OF EARTHQUAKES.

PHYSICAL commotion within, and political revolution upon the earth seem to be going on simultaneously, and have been of so long continuance that tranquillity either on or below the surface of the common mother of the human race will soon be regarded as an abnormal condition. Fortwo or three years past earthquakes have been such common occurrences, that the present may be looked upon as peculiarly an earthquake era. It may be that one design in their frequent recurrence is to familiarize the human mind with their horrors, and to give American ingenuity,—equal almost to every emergency, a chance to invent something to mitigate, alleviate or prevent their evils, and thus still further, prove the superiority of mind over matter and its forces. However this may be, and whether any such result spring therefrom there is an abundant scope for inventive genius in this direction, in these latter days.

Some two or three years since the whole civilized world was shocked with the account of the great earthquake on the South American continent, by which thousands of persons in Peru, Chile and contiguous regions lost their lives, and property worth many millions was destroyed. Since then these terrible convulsions have made their dread presence felt in Oceanica, Asia Minor, various parts of Europe, California and Nevada, and this morning we read, in the dispatches, of a terrible scare in the East, yesterday, from the same cause. The visitation seems to have been general throughout Canada, the New England States, New York, some portions of Ohio and elsewhere.

War, with all its horrors, is raging in Europe, pestilence is laying its hundreds low, and famine, at least in the districts of France devastated by the Prussians, is imminent. Truly the day in which we live is important, and offers food for serious reflection to the meditative mind.

The Latter-day Saints have been looking for and prophesying for years the coming of such times; to them they possess greater significance than to any other portion of the human family. They know that the second advent of the Messiah and the establishment of his kingdom upon the earth was to be preceded by such events. Hence they do not surprise or alarm them. Ancient and modern revelation declare that signs, and wonders in the heavens, and troubles and calamities of an extraordinary nature on the earth may be looked for in the days in which the Kingdom of God should be established. The Saints are engaged in that work; and though they may be derided by all the world, they can not help knowing it. For years they have been warning the world, and are still doing their utmost to gather out the good and honest from all the nations of the earth.

One portion of modern revelation says that after the testimony of the elders of this church, shall follow the testimony of earthquakes, &c., &c. Any person who can read the signs of the times can see the fulfillment of this taking place. Europe, in nearly every portion has been warned; the same is true of this country, and though mankind generally may and do deride and scoff at the message of salvation borne by the elders, and scorn their declaration, that they are engaged in establishing the kingdom of God and in preparing the way for the reign of the Redeemer, they know their statement is true, that the work in which they are engaged is no myth, that the testimony of earthquakes is at hand, and that others equally as terrible and convincing will speedily follow.

"SERVANT-GALISM" in the East has earned for itself a reputation by no means enviable in character, and one of the greatest wants of the public there, now and for some time past, judging by occasional remarks in the public prints, has been good, reliable female domestics. This want, according to the New York *Herald*, is being gradually supplied, and the importations from Ireland and other European countries supplanted by the operations of the "Colored Relief Society," which has been in existence for several months, its object being to transport colored girls from the South, who may desire to locate in the North and find homes there in the capacity of hired help. All parties desirous of procuring such help, deposit with the society twelve dollars to defray the expenses of hiring and transporting the girls, each of whom, when furnished, labors one month for this amount, after which an

agreement as to wages is made. The Society pledges itself to furnish satisfactory substitutes for all girls furnished by it who behave in an unsatisfactory manner.

During the last four months over two hundred girls have been imported and hired out, and, it is said that only one complaint has been made to the Society. Applications for this class of help are continually being made, and the institution promises to become an instrument of good to the public as well as to the girls.

This move, we think, deserves to be well thought of. Many of the class thus imported no doubt were formerly slaves. The nation willed the freedom of their race, and since the Emancipation Proclamation was issued has done much for the blacks in the South. But notwithstanding this there is no question that a great many of them have been in a worse fix than ever they were before, through want and destitution. This Colored Relief Society seems to be actuated by common sense. Many of the Christian benevolent societies have in view the benefit of the heathen anywhere but at home; but this one is practically extending aid and benefit to those who, if not exactly heathens, might in scores of instances, become worse even than that. That its labors are appreciated is obvious from the fact that applications are increasing and the work of importation continues.

If others of the Christian benevolent aid societies would follow suit, and use their influence and efforts more exclusively on behalf of the heathens and outcasts at home much more real good would result from their labors.

A TALE of horror comes from Michigan, to which it would be exceedingly difficult to find a parallel in the incidents of everyday life; and the brains of the most prolific sensation manufacturer could scarcely surpass it. It appeared in the *Saginaw (Michigan) Republic* of a recent date, and the facts, briefly told, are as follows:

An old man lived alone in a miserable cabin in a lonely place on the outskirts of Saginaw. He seldom made his appearance in public, and whenever he did, it was in the role of a mendicant, supplicating alms from the passers. His wretched appearance indicated penury and want the most extreme, and he was supposed to be either a miser or wretchedly poor.

One day recently, a child, named Skinner, went to fish in the river, and in his wanderings came to the hut of the old man. All being very quiet the boy peeped through a crack in the wall of the cabin, and he beheld the old man counting pieces of coin from a bag, several of which were on the floor beside him. The sight startled the child and in moving to leave the place, he stumbled and fell. The noise disturbed the inmate of the hut, who hastened from within, and seeing the boy, he exclaimed:

"I've caught you, have I? You saw me, did you? Well—now you'll pay for it." And before the little fellow could say a word, the old man monster, with an awful laugh, drew out a knife, and (oh, horror!) cut the child's tongue out. Then he chopped off his fingers. "Now," he said—"now you can go, for you can't tell."

The child ran as fast as possible to his father's house, where the greatest consternation was created, by his appearance, for bleeding and in great agony he could not speak to tell what was the matter, and his fingers being cut off he could not write. With much painful effort at length succeeded in fixing a pencil between the stumps of his maimed fingers, and wrote an account of the horrible transaction.

A party was immediately organized, the boy's father at their head, and proceeded to the miser's hut. He was standing at the door and fired several shots from a revolver as they approached, wounding two of them. The father of the mutilated child returned the fire, and mortally wounded the old scoundrel, his last words being "my money," "my money." In the hut \$10,000 were found, which was presented to various charitable institutions. On the following day the old man was buried, and the hut torn down. The child was progressing favorably, and his recovery was hoped for.

THE horrors and perils of voyages and exploitations in the Arctic regions, exemplified in the sufferings and death of so many brave fellows, have been again forcibly experienced by the crew of the ship *Hansa*, one of the fleet of the second German North Polar expedition, who returned to Germany very recently.

The *Hansa* and *Germania* left Bremen-haven in June, 1869, on an exploring expedition in the Arctic Ocean. Mishap and destruction overtook the *Hansa* in the following October, she being crushed by ice on the 19th of that month, on the east coast of Greenland. On the 1st of last month the following telegram, conveying the first intelligence of the disaster, dated Copenhagen, signed by the Captain of the *Hansa*, was received in Bremen:

"The *Hansa* was crushed by ice on the 19th of October, 1869, on the east coast of Greenland, in 71 degrees north latitude. The crew are saved and in good health in Copenhagen."

HAGEMAN."

Shortly afterwards the crew of the *Hansa*, thirteen persons all told, arrived and furnished the following brief account of their sufferings:

"The *Hansa* was fast in the ice on the 6th of September, 1869, (in 74 degrees north latitude and 17 degrees west longitude), and on the 19th of October (in 71 degrees north latitude and 21 degrees west longitude) she was left by the crew, who took refuge with their boat upon an immense ice field. They spent two hundred days upon this floating mass, partly in a house built of coal and partly in a small boat, and during this time were driven two hundred and fifty geographical miles southward. The ice field was at first nearly seven (geographical or German?) miles in circumference, but decreased day by day, until at last it had a circumference of only two hundred yards. They finally got into the boat in the sixty-first degree, and after a seven days' voyage they arrived, on the 13th of June, at the settlement of Frederichsthal, from whence to Copenhagen they came in the ship *Constance*. The scientists, Drs. Zaube and Bacholz, are well and now in Hamburg."

## THE RULING OF HIS HONOR JUDGE MCKEAN.

THE case now in progress before the 3rd Judicial District Court, in which Messrs. Englebrecht, Rehenke and Lutz, proprietors of the liquor saloon 2nd South St., recently demolished for selling without a license, are plaintiffs, and Alderman Clinton, Marshal, McAllister, and others are defendants, involving, as it does, the rights and powers of the city authorities, and of the Territorial Legislature, will be watched by the public to its issue, with more than ordinary interest. A ruling in relation to it was rendered this morning by his Honor Judge McKean, which will be found in full in to-day's issue, and for which we are indebted to the courtesy of the Court. Though this ruling may not have a very material bearing on the question of Territorial and municipal authority, involved in the case, we think some parties will be rather surprised at it; for they seem to have the idea that they have about got matters so that they can defy Territorial and Municipal authority and law. We are of the opinion that all who entertain such an opinion will eventually be very willing to relinquish it.

The plaintiffs in this case, alleged in their complaint that the parties by whom their property was destroyed acted unlawfully, wilfully and maliciously. Defendants, in their answer, asserted that the proceedings were lawful, and neither wilful nor maliciously. To this a demurrer was entered by the plaintiffs, and the ruling this morning was in relation to that demurrer, and sustained the position of defendants' Counsel, so far as relates to the alleged wilfulness and maliciousness.

This ruling will have an important bearing on the result of the case in a pecuniary point of view, for had the position of the plaintiffs been sustained, their claim for treble the value of the damage done, made under the Territorial statutes, as quoted in the Ruling, would have been sustained; whereas now, as we understand it, it is rendered hopeless. The future proceedings in the case will be to determine the mere legality of the act on the part of the defendants; and if it be proven that they acted without due authority or unlawfully, they will of course be mulcted only to the amount of the actual damage.

Editors, by some folks, are supposed to know almost everything, law included; but in our case we frankly admit that our legal knowledge is limited in extent. But without pretending to pass judgment as to the merits of his Honor's ruling in this case, in a legal point of view, on the score of common sense and justice we think it will commend itself to all, whether of the legal fraternity or otherwise.

THE Superior Court of Chicago City is becoming scandalized at the shameful system of procuring divorces, which prevails in that city, and is determined to effect a reformation if possible. The Judge of the Court declares that advertisements by members of the bar, to the effect that divorces could be obtained "without publicity," are insulting to the Bench and Bar, derogatory to the profession and against good morals, and action is to be taken against such members of the bar as persist in the practice.

The Court, evidently determined, if possible, to curtail the number of divorces granted, adopted a rule that no petition for divorce shall be heard unless signed by the complainant, or by an attorney having written power of attorney.

This may restrict the objectionable features of the divorce practice there to some small extent; but it is doubtful. For so long as the laws of the State render the procuring of divorces an easy matter, immoral men and women and venal limbs of the law will evade and defeat any rules a Court may adopt for its practice.

Chicago has undoubtedly some honorable, high-minded men among the members of the legal profession; but if it possess many as contemptible as some we wot of from that locality, we do not wonder at the Court being disgusted at their shameful display of venality and lack of high professional principle.

## JUDICIAL RULING.

TERRITORY OF UTAH, THIRD DISTRICT COURT.

Paul Englebrecht, Christian Rehenke and Frederick Lutz, Plaintiffs against Jeter Clinton, J. D. T. McAllister, Andrew Burt and others, Defendants.	1870, Salt Lake City. September Term,
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Opinion of Chief Justice James B. McKean.

The plaintiffs bring this action against the defendants under the New Civil Code of Utah, and charge, in their complaint, that on the 27th day of August, 1870, in the city of Salt Lake, the defendants did unlawfully, wilfully and maliciously destroy a large quantity of brandy, whiskey, wine and other liquors, with the vessels containing them, &c., the property of the plaintiffs, amounting, in value, to the sum of \$22,589.75; and the plaintiffs demand judgment against the defendants in a sum equal to three times the value of the goods, to wit: in the sum of \$67,769.25. They base their claim upon Sec. 102, of "An Act in relation to crimes and punishment," (see Laws of Utah, page 59), which reads as follows: "If any person maliciously injure, deface or destroy any building or fixture attached thereto, or wilfully or maliciously injure, destroy or secrete any goods, chattels or valuable paper of another, or maliciously prepare any deadfall, dig any pit or set any gun, or arrange any other trap to injure another's person or property, he shall be imprisoned not more than one year, or fined not exceeding five hundred dollars, or both fined and imprisoned at the discretion of the Court; and is liable to the party injured in a sum equal to three times the value of the property so destroyed or injured, or damage sustained in a civil action."

The complaint is verified. The defendants, Clinton, Needham, Ashman and John Y. Smith, unite in an answer which contains a specific denial to each allegation of the complaint. The defendant McAllister answers separately and denies specifically each allegation of the complaint; and then alleges, in substance, that on the said 27th day of August, 1870, he was City Marshal of the said city, and seized and destroyed the said property in due form of law, and by virtue of a warrant, lawfully issued to and commanding him so to do, setting forth in his answer the substance of said warrant, and denying that he did such act unlawfully, wilfully or maliciously.

Burt, and all the other defendants, unite in an answer in which they specifically deny each allegation of the complaint, and then allege, in substance, that McAllister was such City Marshal, etc., and that by command, etc., they aided him as a *posse committatus*, and deny that they did so unlawfully, wilfully or maliciously.

The plaintiffs demur to all those portions of McAllister's and Burt's answers after the specific denials to each allega-