

cludes only one officer. The action of the "Liberal" Probate Judge in slinking out of his duty and out of his chair during the trial, and the cognate action of the "Liberal" clerk in slinking out of his duty by refusing to sign the court minutes, are anything but commendable, but are on a par with most "Liberal" doings.

The matter of the legality of this election is not yet before the Judge of this District, but when it shall come up for action, it is to be hoped, for his own credit, that he will act with the fairness, impartiality, and sound judgment which it is his privilege to manifest and which the importance of the case demands. Then we shall be happy to record another point in his favor.

### THE FUTURE IN EUROPE.

THERE appears to be a disposition prevailing to regard the near future of the European nations with apprehension. Ominous signs and portents are believed to exist, and expression is given in various quarters to the anticipation of stirring revolutionary times, great crises, deadly conflicts and important changes not many years hence. Disraeli, two or three times of late, has given utterances to views of this character, and recently Victor Hugo "oraculated" in a similar strain to the Peace Congress at Geneva. The New York Herald takes up the theme and indulges in the following manner—

"There is a constant rumbling in the Continent of Europe, and even the wisest men cannot read the signs.

"The builder rests his edifice upon the strength of the majority or the larger portion. A nation is great, intact, free, only when the foundations rest upon prosperity and contentment. Class rises above class, even as layer rises above layer and forms the pyramid. The summit will be uncertain if we are not certain about the foundation. And looking at those splendid monuments of civilization as we see them in Europe, we are tempted to ask what security have we for their permanence and their strength if there these tokens of disaster assume real form and have their ultimate and terrible will?"

"Peaceful as Europe seems, it is not a wholesome peace. We cannot accept the summer days as truly summer when clouds, rent and torn with lightning, disturb the sky. We may have the harvest moon or we may have the thunder storm when the sun goes down. 'Question' after 'question' comes tumbling one upon another, even as we read in the poet that 'from peak to peak, the rattling crags among, leaps the live thunder.' Never did old Europe seem in so phenomenal a condition. England gathers her skirts about her and content with the guardianship of her embosoming seas, sulkily awaits the storm. France sharpens her sabre and pike, watching and praying for the tocsin to summon the combat for Alsace and Lorraine. Austria, bothered with her finance and her artillery, her history a series of monumental defects, prays that the shock may not fall until her currency is really money and she has changed her cannon from bronze to steel. Russia, half civilized, half barbarian, looks with civilized earnestness upon the Slavic dominions bordering her kingdom and with barbaric passion upon the ungarned possessions of Asia. Spain is beaten from shore to shore, at the mercy of every tempest. The smaller nations, rejoicing in the weakness which has at last become strength, huddle into the corners away from the storm, only hoping for the safety that comes with forgetfulness. Turkey feels that her doom is a question of time and patiently awaits her execution. Germany pursues her destiny with eager, brutal resolution. Between Germany and France the issue lies. We can learn one side of this issue from the remarkable letter addressed to the Peace Conference of Geneva by Victor Hugo. According to the cable summary which first reached us M. Hugo declared that there could be no peace in Europe until there had been another war between France and Germany, conveying the intimation, also, that the illustrious and

venerable writer rather welcomed such a war. \* \* \*

"It may be that we are coming to the time spoken of in sacred writings and impatiently expected by enthusiastic interpreters of Scripture, when the great battle of Armageddon will be fought and we shall enter upon the millennial period. Some of these commentators tell us that this battle will take place in Roumania, and somehow it will be connected with the Eastern question. One of the greatest thinkers in America, by some thought to be the greatest, believed that the two races who must govern the world and struggle for the supremacy are the Teutonic and Slavic, and that the other nations are subordinate; that the German people, 'not diffusive, but deep wells, dark, cool, mysterious and never failing,' are bound to rule Europe; that the Teutonic race, which has produced Bacon, Leibnitz, Newton, Hegel and Shakespeare, must always be the superior race."

### FRAUD! FRAUD! FRAUD!

Secretary Callaway of Montana, in his decision concerning canvassing the vote on the Montana Capital Law, says this—

"Fraud is again charged, and the charge is unquestionably true. It began with the passage of the Capital Law, ran riot during the canvass, sat triumphant on election day, and there is evidence that it traveled to the Capital in the election returns."

The Helena Herald comments on this passage in this style—

"It showed itself unmistakably in attempts to corrupt Legislators. It operated to influence the vote of the alien member from Missoula county against the measure. It tried in the same manner, but unsuccessfully, to corrupt Councilman Stuart, of Jefferson, by the tender of \$1,500 for his vote, and by the offer of \$500 to Councilman Garrigan, of Meagher, for his opposition to the bill. \* \* \*

"Large sums of money were raised and expended by Virginia to influence the canvass, even the corporate authorities of that place, as we are informed, going so far as to mortgage the town to the extent of several thousands of dollars for funds to influence the result. \* \* \*

"It is amply evidenced in the largely increased vote of Madison County, compared with the decreased vote of Lewis and Clarke and other counties of the Territory. Virginia City alone nearly doubled her vote as against her vote cast at the two preceding elections. The Secretary himself cast his ballot there, and he speaks boldly out from what he has probably learned from his own personal observation and knowledge gained on the ground."

Something like the action of the "Liberals" in the election in Tooele County in this Territory, where fraud "ran riot," "sat triumphant," and was judicially sustained so far as acted upon by the District Court authorities.

A CATHOLIC MIRACLE.—The Toronto Globe recently commented upon a miracle reported in a Roman Catholic paper, at Montreal. Mr. Patrick Hughes, a prominent citizen of Toronto, informs the Globe that the miracle was genuine, and was effected upon his ten year old daughter, who had been suffering from hip disease for seven years, so that she could not walk without crutches, nor could her hip be touched without causing her extreme pain. Mr. Hughes says—

"I left home early in June for Europe, taking her, my son, and servant with me. We arrived at Lourdes on the evening of the 18th of August, and at once proceeded to the grotto of Notre Dame, where my child, having the water run on her foot and ankle, was instantly cured. Up to the moment when she was lifted in the arms of a lady to have her foot placed under the water she could not walk without her crutches, since then she has not used any, but left them behind her at the Chapel of the Grotto, where there are hundreds of other

souvenirs of miraculous cures. Only those who know me and my child (and there are few in Toronto who don't) can imagine how grateful I feel to our Great God and his Holy Mother for this miraculous cure of my little daughter."

REIGN OF BRUTALITY.—The papers of this country have been complaining for some time past of the prevalence of brutal crimes, especially against womankind. A similar complaint comes from old England. The papers there have shocking accounts of frequent brutal outrages, chiefly in the north of England. Knocking down men and women without cause, kicking them with iron-shod shoes, jumping on them, stamping out their eyes, throwing quicklime into their wounds—these are samples of the atrocities perpetrated daily. The press is calling loudly for repressive measures, and speaks of it as "the reign of blood-stained passion, of murderous bestial ferocities."

An exchange thinks that taking into account "our Southern ferocities," and England's "Northern brutalities," the two great branches of the Anglo-Saxon family need not "make mouths at each other."

TERSELY STATED.—The San Francisco Chronicle thus sharply outlines the causes of the trouble in the Southern States—

"The disturbed condition of the Southern States results, not from the fact that those States contain so many ignorant negroes, nor from the fact that they contain many turbulent and lawless whites, but from both these facts combined. These elements, brought into contact, with the additional element of the Northern carpet-bagger, anxious to use the negro for political purposes, have led to the deplorable condition of things that now exists."

The above is evidently a correct statement of the case, and it might have been added that of these triune elements of evil, the carpet-bagger element is the most despicable and at the same time by far the most dangerous to the peace, good order, and general welfare of society.

GRANT RATING THE CARPET-BAGGERS.—The Washington correspondent of the Boston Statesman, under date of Sept. 14, says that President Grant had been showing himself rather "cantankerous," being especially severe with the rascally carpet-baggers who swarmed around him, as will be seen from the following—

"The President has puzzled the politicians not a little during his recent visit here, closed to-night by his departure for Long Branch. The carpet-baggers who poured in on him in clouds were utterly bewildered by the reception he gave them and the vehemence with which he charged upon them the responsibility for having fomented the troubles in the South. He has broadly conveyed the idea that he has not the high opinion of the Republican party that he once had. Altogether he seems to be in a cantankerous mood just now."

PLENTY OF GOVERNORS.—The New Orleans Times of September 20 has the following pithy comments on the situation in that State—

"Governor Brooke,  
Governor Penn,  
Governor Kellogg,  
Governor McEnery,  
Governor Antoine.

"These are all the acting Governors we have had this year—but it's not our fault that we haven't had more. Times are hard, and we can't afford as much style as Costa Rica."

If the Louisiana governors are of a similar kind to those which Utah has had of late, we should think five would be enough in one year.

### Important R. R. Decision in Oregon.

The Supreme Court of Oregon, during the first week of this month, decided a case of much importance to the railway corporations and the people of that State. It was an appeal from the Lane county District Court, in which Ben Holladay and his railroad company had sued certain parties to compel the payment of money and the conveyance of title to land which the defendants had subscribed as subsidy to induce Holladay to build the Oregon and Central Railroad on a certain line. The plaintiff, Holladay, set forth in his complaint that, as the owner of the majority of the stock in the road, he had the lawful right to place the line on any route he might be pleased to select; also, that the defendants had contracted with him with such an understanding, and that the contract is valid and lawful. The defendants in Lane county traversed these allegations so far as to set up that the consideration on the part of Holladay, as to his right to build the road on any route he might select, is one he could not legally guarantee, and is therefore invalid, and that they are released from their engagements as to the subsidy to be given to the plaintiff. The Lane County Court sustained this demurrer, and on that Holladay appealed to the Supreme Court; he holding to the validity of the contract, and that he has lawful and constitutional power to execute it. It is the opinion of the Supreme Court that such a contract was against public policy, for the reason that it would be improper to sustain a bargain which had for its purpose the laying out of a railroad upon any other consideration than for the public welfare, and for the interests of the stockholders. The reader will perceive that the interests of the stockholders, or of those who hold the majority of the stock, are not enough to satisfy the court. The consideration must also cover the demands of the general public welfare. And this is good law as well as good policy. For it is now a point conceded by all the higher courts, that railways, in whose favor the State gives right of way and accords a franchise, are not held as strictly private properties, but are so far public institutions that the Legislature and the courts may enforce rules for their management by the holders of the franchise in the interest of the public. May they not enforce a similar rule in regard to the construction of the roads, and especially to prohibit any one stockholder who may chance to hold a majority of the stock from contracting for his exclusive personal interest to build the road on a line of his own arbitrary selection, and against the best interests of the State which endowed the corporation with the right of way and other valuable privileges, at the expense of the people? At all events the court so holds, after mature deliberation. The opinion was written by Justice Burnett, concurred in by Justices Prim and McArthur, and dissented from by the Chief Justice Upton, and Justice Bonham. Its effect is to defer the recovery by Holladay, says the Oregonian, "on all suits that have been brought to enforce subscriptions to subsidies in Oregon," where the consideration on the part of the plaintiff was the location of his railroad in any particular locality.

Not only will public opinion in Oregon sustain this decision as just and righteous, but it will meet the approval of honest men in all the States, and, if we are not much in error, will be confirmed by all the reputable courts, State and federal. The idea that a man may, after securing a franchise from the legislature to build a railway, and after being aided by the State, and the general public in various ways in its construction, on the universally implied understanding that it is for the public convenience and welfare, and that he may then turn the cold shoulder to the public and contract with private persons for exclusively private interests and to the plain damage of the people of the State, to put his road just where it will do him the most good, has had its day of triumph, but it is now utterly exploded in theory and ought to be everywhere condemned and set aside in practice. It is urged by one of Holladay's Oregon newspapers—he owns and runs several—that the court had no precedent for this opinion, and broadly intimated that their decision was

given to catch the applause of the people. If there was no precedent for such an opinion, the court did well in establishing one. And in a qualified sense we are never sorry to see a court acting in decent and temperate recognition of public opinion. In this country a well ordered public opinion, grounded in abstract right and the universal conceded principles of justice, is, whatever the courts may say or do for the present, sure to become the law of the land. For if the judges in office do not respect it, or if they allow it to be crushed by mere technicalities and special pleading, nothing is more certain than that the people will turn out such judges at the first opportunity and put in men of broader minds and better ideas.—Sacramento Union, Sept. 22.

Women are asserting their rights. Five engaged in a burglary in St. Louis the other night, one committed forgery at Wheeling, and two broke out of the Rutland, Vt., jail.

A Frenchman has discovered that a stream of water directed from a force pump against a spot visited by neuralgia will relieve it. The operation is painful, but "patients call for a repetition on a return of the disease."

### KENTUCKY BLOOD.

WE HAVE AT HON. L. FARR'S, OGDEN CITY,

Over SEVENTY "Short-horn" (Durham) Bulls and Heifers,

Thoroughbred, just imported from Kentucky, all young, reds and roans, will be sold at low prices and upon reasonable terms. Also pure English-Kentucky Cows-would Bucks, at \$75, such as are sold in Kentucky at \$250.

PETER Saxe & Sons.  
Salt Lake City, Utah, Sept. 21, 1874.  
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### NOTICE.

TERRITORY OF UTAH, } In the Probate  
County of Kane. } Court.

PURSUANT to an order of said Court, made on the twenty-first day of September, A.D. 1874, notice is hereby given that Monday, the second day of November, 1874, at 10 o'clock a.m. of said day, and the Public Hall of Toquerville in the county aforesaid, have been appointed as the time and place for hearing the application made by the officers of Kanab Agricultural Association, for the purpose of incorporating and dissolving said Association, when and where any person interested may appear.  
Dated September 22nd, 1874.  
w36 ft M. SLACK, Clerk.

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