

H. F. 9, reported back from the committee on claims and public accounts with amendments, providing for the revenue of the Territory, was read and discussed by Messrs. Peery, Francis and Dusenberry.

Mr. Penrose moved that the further consideration of the bill be laid over until Monday, 23rd.

Messages from the Council announced that C. F. 5, to change the name of Henry Newsham to Henry Thornly, and C. F. 3, to amend section 1,444 of the Compiled Laws of Utah, and C. F. 4, amending section 2,383, had passed that body.

C. F. 4 passed its second reading. C. F. 3, on motion of Mr. Booth, was referred to the committee on judiciary.

C. F. 5, changing the name of Henry Newsham to Henry Thornly, was read, and, on motion was taken up on its second reading and passed.

A short discussion took place with regard to the third reading of the bill, whether or not it should be laid over to come up in its order, or be tabled, resulting in an order that it be laid over.

C. F. 2, a bill to change the name of Niels Mortensen, of Sevier County, to Niels Morten Peterson, was read and passed its third reading.

Mr. Booth moved that the bill be tabled indefinitely, for the reason that it would be better to have all bills come up together.

Mr. Booth, after a little debate, waived his motion and the bill was passed by a unanimous vote in the affirmative.

The title was read and passed without amendment.

A communication from Mr. Clayton, Librarian of the Territory, embodying a communication from the Librarian of Minnesota, representing the condition of the Territorial Library, recommending that an appropriation for the reinstating of the Library be made.

The Minnesota State Librarian's communication was read in which he stated that he had remitted to the Utah Librarian a number of Minnesota State documents, wishing to exchange.

Referred to committee on Territorial Library.

Mr. Sharp presented the financial report of Salt Lake County for the years 1880-1, moving its reference to the committee on claims and public accounts. Referred.

H. F. No. 3, providing for the appointment by the County Courts of Justices of the Peace, in case of vacancy, was read.

Mr. Partridge referred to the appealing clause of the bill, as to whether it repeated whole acts, a portion of which were in conflict with some of its provisions.

Mr. Thurman stated that the clause was in its usual form; the one in general use, and considered it correct.

The ayes and nays were taken on the passage of the bill, the clerk declaring the result to be unanimously in the affirmative.

The title of the bill was considered and amended on motion of Mr. Penrose, to read, a bill providing for the appointment of justices of the peace in case of vacancies.

H. F. 6, a bill to change the name of James Malloys to James Dennis was read and on motion, passed its third reading.

On the question of the passage of the bill the vote stood 21 in the affirmative. The title of the bill was passed without amendment.

Mr. Hatch presented the report of the Board of Directors of the Insane Asylum, moving its reference to the committee on the Asylum for the Insane. Referred.

Adjourned till to-morrow at 2 p.m. Prayer by the Chaplain.

## BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

### AMERICAN.

SAN FRANCISCO, 17.—A Seattle, W. T., dispatch, says: Julius Sullivan and Wm. Howard were arrested here to-day on the charge of murder of George Reynolds, a young man, whom they waylaid and shot last night. The prisoners were taken before a magistrate for preliminary examination to-day; the evidence of their guilt being most conclusive. Public feeling is intense, and at the close of the examination a committee of safety forced its way into the court room and overpowering the officers, took the prisoners Sullivan and Howard a short distance and hanged them. The bodies were left suspended and a crowd numbering over 40 then proceeded to the county jail, and overpowering the

guard and breaking down the doors of the cell, took out Benjamin Payne, who was confined for the murder of a police officer. He was taken to the place where the bodies of Sullivan and Howard were suspended, and hung. The bodies were left hanging some time and then given over to the coroner. The committee of safety continued their organization and have issued a notice that persons guilty of highway robbery in the city, if arrested, will receive the penalty of death in a summary manner.

CLINTON, Mo., 19.—The house of Geo. C. Smith, at Lewis, five miles north of here, was burned at three o'clock this morning, and five of the inmates perished in the flames, viz: Elizabeth Smith, 17; Rachael, 13; Ellen, 6; Theodore, 16, and the mother, aged 43. The fire is supposed to have started from clothing near the stove in the kitchen, or from a coal oil explosion. Mrs. Smith was first to awaken, when she aroused her husband, who made his escape with a little girl of a neighbor, who was staying there for the night, and one of his own daughters, aged eight. Smith and his daughter were severely burned. The house was a story and a half, and the family were all sleeping in the second story. Mr. White, who was a suitor of Elizabeth Smith, was at the house until after one o'clock, and thinks the fire caught in the kitchen from clothes. Miss Smith was to have been married in a few weeks. An inquest was held, and a verdict rendered in accordance with the facts. Mr. Smith was employed by the Osage Coal and Mining Company.

OMAHA, 19.—A party of ten cowboys from the up country, rode into Long Pine, on Tuesday night and took possession of the town. They shot out the lamps in the saloons, ridiculed the windows, fixtures and walls, and terrorized the inhabitants by firing fully a thousand shots during the night. Finally a part of the gang boarded the departing train, shooting from the rear platform. The inhabitants are too glad to have escaped personal injury to think of bringing the ruffians to justice.

WASHINGTON, 19.—At the usual hour, as soon as Guiteau reached his seat, he delivered himself of the following speech:

With a pompous effort at oratorical effect, the decision of the New York court of appeals comes with so much force at the present moment, that I desire to call attention to it. It comes with great grace from the empire—from that grand old State of the republic—the State that sends forth the brains. The money and commerce of the nation. It is a great step forward of the law of insanity. Hitherto the law has been that the burden of proof was on the defendant, but the court of appeals, with a grand magnanimity, says that the burden of proof is on the prosecution to prove that the man not only committed the act, but also that he was sane at the time he committed it. In the name of justice and in the name of the American people, and in the name of the American judiciary, I desire to thank those gentlemen of the court of appeals of the State of New York.

Scoville then resumed his argument, reading from the evidence of several witnesses who were at the depot and saw the shooting and subsequent arrest of Guiteau; his object being to show that the prisoner was perfectly calm and cool and in a condition of the nerves and intellect at variance with the hypothesis of sanity under such circumstances.

Scoville again complained that the prosecution had failed to call Detective McElfresh to the stand, whose evidence would have been of service to the prisoner.

Guiteau—They came to my cell and tried to draw me out. I talked with them a little and told them about Deity and my inspiration, and now they suppress all that evidence. That shows the iniquity of their prosecution and God Almighty will curse every one in this prosecution, in my opinion.

After a short pause the prisoner added: That reminds me to say that Judge Porter has been pretending to be sick for two days. I hope it will be providential to keep him sick. I hope the Lord will take him down below quick and then send for Corkhill.

As Scoville proceeded Corkhill made frequent and, as the speaker evidently thought, slighting comments until finally becoming irritated, he turned upon the District Attorney and denounced in scathing terms his unfairness in the matter of producing the evi-

dence of a mutilated letter written by the prisoner.

Guiteau: It was a friendly allusion to President Arthur that he cut out, the mean, dirty whelp.

Scoville had a running fire with the prosecution as his speech progressed. His motive, he said, was not to shield the Guiteau family, but to save the American nation and judiciary from hanging an insane man. He denounced Corkhill for gratuitously insulting Dr. North if he was ever arrested for crime. Corkhill stated he himself had tried North in this court. Recess.

WASHINGTON, 19.—After recess, Scoville continued his review of the evidence, and claimed that the prisoner had been free, frank and outspoken in all things; that he had converse at the jail with every one the prosecution sent there, and always without reserve, and had he been sane and playing a part, he would not have done so. Commenting upon, as he claims, the absence of motive on Guiteau's part, Scoville said: You cannot find an instance in history, you cannot suppose a case, where a man 40 years of age, who has never before committed a crime, who has never for an hour associated with criminals or bad people, who on the contrary has actually sought the society not only of the better class of people, but of Christian people; you can't conceive of such a man's committing such a crime without motive. Nothing but the theory of insanity can possibly account for such an act as Guiteau's.

Scoville then discussed the assumption that Guiteau might have been actuated by a desire for revenge, and argued the improbability of such an assumption from the fact if any ground for ill will existed on Guiteau's part, it was against Secretary Blaine, and according to the inexplicable laws of mind, it would have been executed against him. There can't possibly be shown, said Scoville, any ill will on his part toward President Garfield.

Colonel Corkhill—You seem to forget that he killed him.

Without noticing this comment, Scoville next took up the hypothesis, that the crime was committed from an overpowering desire for notoriety, and claimed that history did not point out a case where such a crime was committed purely and simply from such a motive, and that it was incompatible with reason, and impossible for the human mind to conceive such a motive as sufficient to induce any sane man to commit such a crime. That he killed the President as a disappointed office-seeker, is more than improbable, said Scoville, for he had brooded over some wrong of the kind, something of his disappointment would have leaked out. He would have said something in his intercourse with other people indicating his disappointment or bad temper on the subject. Nothing would have been more natural in the interval before he made up his mind to kill the President.

Guiteau—Oh, that's all bosh about my being a disappointed office-seeker. After the first of June my whole mind was on the political situation, and I wouldn't have taken a cabinet position had it been offered me.

Looking up from his paper a few minutes later, Guiteau cried out, with a satisfied air, "Porter is sick; I guess the Lord is attending to him."

Scoville alluded to the taunt of the prosecution that experts for the defence had gone back on them, and said in explanation, that when he reached Washington he did not know the name of a single expert. He knew Guiteau was crazy, but how to show it to the country, and to convince a jury of his countrymen was the burden that pressed on him. Then came a letter from Dr. Worcester, that little man, from the great State of Massachusetts, a State that holds the Athens of America. He wrote that if the half of what was said of Guiteau was true he was crazy. Dr. Worcester had great experience in treating insanity, and had written a book which was an accepted authority as a text book, the first work, he said, by an American author on insanity. He said, further, that he wanted to do all he could to save the Nation from the disgrace of hanging an insane man, even if his victim did happen to be the President of the United States. He said Scoville, a great weight lifted from my heart. I thought here is a great and good man who cannot be bought. Well, gentlemen, this very little man from the great State of Massachusetts came. Guiteau—He wanted a free ride to

Washington. He got here, and Corkhill bought him up so he went back on that letter.

Scoville continued: Well, he came here and he saw some one.

Guiteau—He saw Corkhill, and he bought him over.

Scoville—At any rate, this great author on American insanity or this first American author, whatever it may be, could not on the stand, when asked, give me the title of his book. Scoville severely criticized the course of Dr. Worcester, and classed him with the government conspirators.

Adjourned till to-morrow.

It is understood the defense will at the conclusion of Scoville's speech renew the motion to allow the prisoner to address the jury, and will ask that he be heard in support of the motion. The effect of this, if permitted by the Court, will be to consume another day. Allowing two days for Judge Porter, and it is more than probable that he will require it, the case will probably not get to the jury before Wednesday next.

Secretary Kirkwood, in his letter accompanying the papers received by the Senate to-day in regard to the Northern Pacific land grant, says: I have the honor to transmit herewith the report of the Commissioner of the General Land office on the subject. From this report it will be seen that the patents for lands in the Olympia district, Washington Territory, were issued on the 8th of April for 8,061 8-10 opposite a portion of the road constructed by said company previous to 1877. No patents further had been issued for 475 miles of said road constructed examined and accepted in 1880 and 1881.

Commissioner McFarland's report to Secretary Kirkwood is as follows:

General Land Office,  
Washington, Jan. 16, 1882.

To Hon. S. J. Kirkwood, Secretary of the Interior:

Sir—I am in receipt by reference from the Department, of the 13th inst., for the report of Senate resolution, passed on the 12th inst. Commissioner McFarland quotes the resolution in full and continues: In accordance with instructions I have to report as follows: I know of no decision in any actual case presented by the commissioner of the General Land Office, declaring the grant to the Northern Pacific Railroad Company lapsed, which has been reserved by the Secretary of the Interior. I inclose a copy of the letter to the Register and Receiver at Bozeman, Montana, October 12th, 1877, by the then Commissioner, stating that the time for the completion of the road, under the grant, expired July 4th, 1877, but that under cited decisions there was no power in the office to enforce the forfeiture. There may have been other letters of a similar import. On May 18th, 1879, George Gray, Esq., attorney for the company, transmitted to your predecessor a map of the amended branch line of the proposed road in Washington Territory, and asked it to be accepted by the Department, and the withdrawal of lands adjusted. Accordingly, said letter and map were referred to this office for report. The report called for was made May 1st, 1879, and Gray's letter returned therewith to the Department, where it is now on file. A copy of my predecessor's said report is herewith submitted. It will be observed that it presented to the Secretary the question whether or not the grant in question had lapsed. Your predecessor returned, approved the amended route map, with his decision upon the questions involved in said decision, saying the grant was in full force and effect, fully stating the reason. The above-recited decision of your predecessor is the only one of which I am aware touching the lapsing of the grant in question. I know of no opinion of the Attorney-General in the premises. A full report, with maps showing the several lines of road proposed by the company, and the history of the withdrawal for the grant was made by the acting commissioner of this office, March 8, 1880, and by your predecessor, communicated to the Senate, March 12, 1880. The only patent issued to the company since July 4, 1877, was dated April 8, 1880, covering 30,383-100 acres in the granted limits. The Olympia land district, Washington Territory on the opposite portion of the road constructed previous. On Oct. 26, 1880, the Attorney General rendered his opinion on similar questions relating to the grant to the

Atlantic & Pacific Railroad company.

I am very respectfully,  
Signed, N. C. McFARLAND,  
Commissioner.

The bill prepared by Secretary Kirkwood for the improvement of the condition of uncivilized Indians, and which was submitted by the President to Congress, provides for the appointment of a commission of three members, to be known as the commission on Indian civilization, and for a secretary and interpreters to the commission. The bill provides that the commission, under direction of the Secretary of the Interior, shall visit such tribes as the President may designate, and authorize them, after obtaining information, to enlighten their judgment and understanding in the premises, and enter into agreements with the Indians with their full consent for the reduction of reservations in cases in which the commission shall deem such reductions advisable. In such cases the bill provides for surveying the boundaries of the diminished reservations, to extend the public surveys over the same and over the ceded lands, and also provides for the sale of the ceded lands for the cash expenses of the survey and sale, the lands to be paid for from the proceeds of such sale and the balance to be placed to the credit of the Indians. The bill further provides for conveying the diminished reserves by patents to the Indians, giving permanent occupancy by allotment in severalty in their tribal capacity. It provides for allotment in severalty, and if it is proved an Indian has cultivated the selected acres, it will be patented to him, and cost improvements to the amount of \$100 in each case shall be defrayed by the Government from surrendered lands, the proceeds of the sale of surrendered lands, to be expended under the direction of the Secretary of the Interior in the erection of houses, purchasing harness, horses, cattle, farmers' implements, etc., the erection of school buildings, the payment of teachers, and for the subsistence of school teachers. When necessary, the Commission is directed, in cases where it is not thought advisable to reduce reservations, to enter into agreements for the survey of the boundaries of the reservation to extend the public surveys over them, and convey allotments in severalty. The commission is also authorized to negotiate for the cession of entire reservations, and the removal of the Indians to other reservations. Surveys and sales of such reservations to be made by the Government, and the moneys to be expended for the benefit of the Indians on the reservations to which they may be removed. Provision is also made for allotments in severalty on their new reserves. The object of the bill, as explained by Secretary Kirkwood is eventually to make the Indians self-supporting; to give them a title to their lands in severalty, and educate and civilize them. Another feature of the bill is to provide by treaty for paying the Indians within a limited period after the passage of the act of all sums which shall become payable and the principal of all trust funds now held by the United States for the Indians. And still another feature is the gradual reduction of the annual appropriation by Congress which, when the Indians become self-supporting, will cease. The bill is in full accord with the recommendations of the Secretary's annual report, and with the views of the President upon Indian affairs, as expressed in his message to Congress.

The following patents are issued to Pacific Coast inventors this week; Edwin A. Winters, Vacaville, Cal., box cover press; L. O. Hudson, Stockton, combined portable pantry dresser and side board; C. A. Kenkler, San Francisco, rubber stamp cabinet; G. W. Wilbur, San Francisco, sign board; W. Wood, Denver, ore washer; Wm. H. Smith, Oregon, crosscut sawing machine.

NEW ORLEANS, 19.—A flood of water from Big Black River is spreading in every direction. About 30 miles of the Chicago, St. Louis & New Orleans Railroad is under water and much damage done. Travel will be suspended for some weeks. The lower part of the town of Goodmans is inundated and the turnpike road destroyed.

At Mobile all the lower landing along the Tom Bigbee is inundated, and 56 feet of water is reported at Tuscaloosa, and still rising.

ROCHESTER, N. Y., 19.—Anna Dickinson's debut as Hamlet was made before a large and appreciative