

Local and Other Matters.

FROM SATURDAY'S DAILY, SEPT. 22.

Bounteous.—The grain crops have been so bounteous this season that Utah is fairly running over with the "staff of life."

Equinoctial.—The sun crossed the equatorial line yesterday, and we are having a little equinoctial weather just now.

Explains.—Dr. Plant rises to explain in another column. He has some of the worms in dispute on exhibition. Plant is certainly death on worms.

Returned.—Mr. C. R. Savage and Dr. F. D. Benedict got back yesterday from a visit to Nevada and California. Mr. Savage returns with a folio plethoric with finelandscape and marine views.

Jailor's House.—The new house in course of erection adjacent to the City Hall, for the use of the jailor, is nearing completion; it is up to the square and receiving the roof.

Condolence.—Mr. Joseph T. McEwan and wife, of Provo, have the sympathy of numerous friends, in their recent bereavement in lately parting from their infant son, the third upon whom death has laid his hand.

Releases and Appointments.—We clip the following from the *Millennial Star* of Sept. 3—

"Elder Thos. Barratt is released from the Nottingham to labor in Liverpool Conference."

"Elder Wm. Ashworth is released from the Liverpool to labor in Nottingham Conference."

Bear Lake.—To-day we had a call from Brother C. Merkley, just in from St. Charles, Bear Lake Valley. He purposes remaining in the city over winter. St. Charles has raised fair crops this season, but other settlements of that valley have not fared so well in that respect. It is a general time of health in that northern country.

The Emma.—The widely noted Emma Mine is about to be operated again. Mr. James Scrimgeour, who has had charge of the property since it fell into the hands exclusively of Mr. Trenor W. Park, has leased it from the gentleman last named. Work will commence upon it in a few weeks, with only a few hands, but it is proposed by the lessee to operate it on an extensive scale next spring and summer.

District Court.—Saturday, Sep. 22nd.

David Cooper vs. Alex. Tarbet; James Robbins, Administrator for David Cooper, deceased, substituted as plaintiff in judgment herein.

Joseph Broughton et al. vs. Chicago S. M. Co.; on motion of Jonassen, plaintiff's attorney, the Court orders default and judgment, the clerk to compute.

Wells Fargo & Co. vs. Chicago S. M. Co.; same order.

E. & G. Boukowsky vs. Geo. F. Munroe; default and judgment, the clerk to compute.

No Tidings.—The wife of E. Flygare, whose body was supposed to have been found near Tintic, a few days since, has been unable to obtain further tidings in relation to the matter than was published in the *News* of yesterday. Superintendent Sharp, in her behalf, telegraphed to various points this morning but without avail. A couple of men to whom he gave passes over the Utah Southern Railroad, left this afternoon for the place indicated by the letters, to hunt for information regarding the matter.

Messrs. Berquist and Watson should at once forward information in relation to what disposal, if any, they made of the body.

Mrs. Flygare is afraid the remains of her husband are still lying exposed, which adds to her distress.

FROM MONDAY'S DAILY, SEPT. 24.

Expected.—Elders Orson Pratt and Joseph F. Smith, of the Quorum of the Twelve Apostles, arrived at New York, from England, on Saturday. It is expected they will reach this city on Thursday evening next.

Championship.—The deciding game of base ball, for the championship of Utah, played on Saturday, on Washington Square, between the Deseret and Red Stockings clubs, was won by the former, the score being 13 to 4.

Tabernacle Services.—Elders Franklin D. Richards, Brigham Young and George Q. Cannon preached yesterday afternoon.

Fire.—The fire alarm was sounded this afternoon. The fire brigade and apparatus proceeded to the spot where the flames were said to have broken out. It was only a small haystack, belonging to a widow, in the 6th Ward. Small damage was done.

The Emma.—A few days ago we stated that the Emma Mine had been leased for two years to James Scrimgeour. We now learn that a portion only of the mine has been so leased—the upper part or old workings—and that Trenor W. Park still retains control of the mine. A clause in the lease reserves to him, for certain considerations, the right to take entire possession of the mine and end the lease at any time before the expiration of the two years. Mr. Park is said to have unbounded faith in the future of the "Emma," and purposes developing it next Spring.

The End.—The *St. Louis Globe-Democrat* makes the following gratuitous statement—

"The Mormon Church now officially declares that the end of the world is close at hand, and as there are temples enough and to spare, for the present congregations of Utah, it seems somewhat illogical to urge the faithful to build temples for the rising generations, who certainly will not be living in Utah after the end of the world. Nearly a quarter of a century ago a certain Rev. Dr. Cummins, a well-known English writer, had confidently predicted, from the Book of Daniel, a similar catastrophe within three years from the date of his prophecy. He was at the same time in treaty for the occupancy of a new house in a parish a little to the east of London, but refused to complete the bargain unless the lease was drawn for ten years."

The "Mormon Church" has never made any such declaration, officially or otherwise, as that imputed in the foregoing, and therefore the reasoning of the *Globe-Democrat* is superfluous and erroneous, because of the falsity of the basis.

It is a matter of faith with the Church of Jesus Christ of Latter-day Saints, that the introduction of the Gospel of the Savior, with all its keys, powers, and blessings, in these latter times, was the dawning upon the world of a new and brighter era—a turning point in the history of mankind. It is a matter of faith with the Church that the work introduced by the Almighty through the instrumentality of the great prophet of the nineteenth century, Joseph Smith, is indestructible, being destined to revolutionize the world and inaugurate a better and fairer state of affairs among its inhabitants. It is a matter of faith with the Latter-day Saints that the Lord has decreed that the end of the rule of the wicked shall come, and a reign of righteousness and peace be introduced, to last a thousand years, with Christ at the head. It is also a matter of faith with them that after the end of that period, the seventh thousand years, the Sabbath of the earth, this globe will undergo a process of purification and take its place among the celestial bodies, as the eternal habitation of the sanctified and redeemed of those who have lived upon it in mortality. It is a matter of faith with the Latter-day Saints that the earth will be changed, but not destroyed. In these matters of faith they are amply sustained by revelations contained in the Scriptures of ancient and modern date.

That Contempt Case.—There is considerable interest in the public mind in relation to the matter of the alleged contempt of Hon. Elias Smith, Probate Judge for Salt Lake County. As there are facts connected with it that have not yet been published, we give a brief history of the case, which has some peculiar features.

On the 8th of the present month Messrs. George A. Lowe and Richard McIntosh called upon Judge Smith and stated that they were a "self-constituted committee" to search the records of the Probate Court. Judge Smith asked if he was guilty of malfeasance in office, to which he received a negative reply. They further intimated that the object was to obtain information derogatory to the standing of certain lawyers.

Messrs. Lowe and McIntosh left and returned in a few hours, pre-

sending the following certificate, which is a singular document, being addressed to nobody in particular, and consequently nobody in particular would be likely to consider himself bound by it—

Territory of Utah,
Salt Lake County,
Third Judicial District Court.

April term of the grand jury of said judicial district.
George A. Lowe and Richard McIntosh are hereby appointed a committee in behalf of said grand jury to examine the records in the office of the Probate Court of Salt Lake County.
Sept. 7th, 1877.

MARTIN K. HARKNESS,
Foreman of the grand jury, Third Judicial District.
Attest G. W. BOSTWICK,
Clerk of grand jury, Third Judicial District, Utah Territory.

I, C. S. Hill, Clerk of the Third Judicial District Court, do hereby certify that Martin K. Harkness is the foreman, and George W. Bostwick is clerk of the grand jury of the Third Judicial District Court for the April term, A. D., 1877.

Witness my hand and the seal of said Court, this 8th day of September, A. D., 1877.

C. S. HILL, Clerk.
By H. G. McMillan,
Deputy Clerk.

Territory of Utah, Salt Lake County, Third Judicial District.

It will also be observed that the supposed certificate does not even certify that the parties named therein are members of the grand jury.

Judge Smith was engaged in session with the County Court, and desired till after its adjournment, 4 p. m. on the same day, before coming to a determination on the matter. However, it was finally arranged that the committee should receive an answer on Monday, the reply to be given through the clerk, as Judge Smith would be absent upon that day. The answer was that the grand jury could examine the records in accordance with the provisions of the "Poland Law."

The committee returned on the Tuesday morning following, Judge Smith showing them into the clerk's office, where Judge Z. Snow, counsel for Judge Smith, and the County Clerk, stated to them that, in his view, a committee of the grand jury was not the grand jury. Next day, Wednesday, Judge Smith was arrested by deputy U. S. Marshal Greenman, having no papers served upon him save the warrant of arrest, he being required to appear before the District Court on the following Saturday morning, and show cause why he should not be punished for contempt.

He appeared accordingly and demurred to the proceedings, the demurrer being, as a matter of course, overruled, and he was given until the following Saturday morning, Sep. 15th, no hour designated, to show cause why he should not be punished for contempt, notwithstanding that no order had been served upon him. In fact no legal order had been issued in the premises. The law requires, [Sec. 459, page 526, of the Compiled Laws of Utah] that an affidavit shall be filed, &c., which was not done, the action of the Court being based on the representations of the grand jury only.

In company with his counsel, the defendant appeared at ten o'clock on Saturday, the 15th, but so great had been the haste of the court in the matter that it had already made an order, adjudging the defendant guilty as charged, imposing on him the heavy penalty of a \$500 fine and an additional fine of \$50 for every day thereafter he refused the committee of the grand jury to examine the records of the Probate Court, and also imposing a fine of \$50 a day upon the County Clerk, Mr. D. Bockholt, for every day that he should make the same refusal.

The committee, during the course of the foregoing proceedings, represented to the grand jury that the defendant had, at sundry times, refused to allow them to examine the records, the grand jury representing the same thing to the Court, the Court in turn issuing a mandatory order, directing Judge Smith to allow the investigation to proceed. The committee and grand jury further represented to the Court that Judge Smith had refused compliance with its order, which representation was

untrue, as the Court's order had never been served upon the defendant. This being the case a contempt was an actual impossibility. In fact not a single paper during the whole proceedings had been served upon Judge Smith excepting the certificate addressed to nobody in particular, and the warrant of arrest. Besides, even if Judge Smith were actually guilty, the Court exceeded its jurisdiction in imposing an excessive and illegal penalty. A judgment too that was passed upon the defendant in his absence, notwithstanding that he obeyed the citation to appear on Saturday morning, the time specified, to answer.

A Professional.—On Saturday a young man giving the name of Henry Williams was arrested on a charge of stealing some articles of jewelry and some money, from the house of Mr. Swift, of the 10th Ward. He offered one of the stolen articles, a ring, for sale to Mr. Swamer, who recognized it as one he had made. Williams was tried to-day, before Justice Pyper, and fined \$50, which he will pay in labor.

At the same time as he offered the ring for sale Williams tried to dispose of a stem-winding watch which is also, in all probability a stolen article. If he is not a regular professional tramp and burglar, appearances don't speak correctly in his case.

Public Confession.

MOUNT CARMEL, Kane Co.,
Sept. 9th, 1877.

Editors Deseret News:

Please publish the following card—

TO ALL LATTER-DAY SAINTS:

Inasmuch as I was cut off the Church of Jesus Christ of Latter-day Saints on the 28th of April, 1873, at Cedar City, for apostasy, and published in the *DESERET NEWS* as such, and I have said and written many hard things about the people, and authorities of the Church, I hereby confess my errors and acknowledge my follies, and ask forgiveness of all Saints who have been offended by my writings and sayings, for I desire to be restored to the fellowship of Saints, and to be forgiven of my heavenly Father.

GEO. A. HICKS.

BY TELEGRAPH.

AMERICAN.

WASHINGTON, 22.—Private advices more than confirm the press accounts of the good effects of the President's visit south. At Knoxville yesterday, expressions were common, such as: "We are all Hayes' men now;" "Hayes is doing a work which Tilden could not have done;" "I voted for Tilden, but am a Hayes man now," and so forth. Nothing since the war has done so much to break down in Kentucky and Tennessee the social differences engendered by the struggle as has the comingling of both sides in the presidential reception.

A letter from Col. Corbin, secretary of the Sitting Bull Commission, says: We expect to reach the border on the 30th. Our latest advices are to the effect that his declining majesty is enjoying himself quietly in Canada. Expect us in Washington early in November, perhaps as early as the latter part of October.

The State department is becoming more satisfied of the good faith of Diaz' promises to suppress the Mexican border troubles, but remains doubtful of his ability to succeed in the efforts to that end, and the indications are that several northern Mexican states are organizing a revolt against Diaz. If such a revolt should interfere with the honest efforts of the *de facto* government to fulfil its obligations to suppress the border outrages in Texas, it is intimated that the latter State will protect herself, with the approval of the American government, until the United States troops can effectually assume the duty, with or without the assent of Diaz.

CHICAGO, 22.—General Gibben telegraphs that Major Walsh was at Fort Benton a few days ago, and reported Sitting Bull still north of the line in British Columbia.

A dispatch from Fort Ellis to General Sheridan says, Sturgis writes, under date of Muscleshell

16, that in the fight on the 13th and the pursuit of the 14th and 15th twenty dead warriors were found. He believes more were killed and estimates the loss in wounded at sixty. His own loss is French, Nicholson and Gresham slightly wounded, four soldiers killed, twelve wounded, several scouts killed and wounded. Nine hundred horses were dropped by the hostiles, and up to the 16th he had dropped many of his own horses. The command has been living five days on mule meat.

The Crows are returning to the agency, and say Sturgis sent them in, telling them not to fight the Nez Perces any more, because the soldiers were not to fight them any longer. The Crows say, Sturgis and the Nez Perces camp only eight miles apart, and it may be they have surrendered. This report needs confirmation. Nothing from Howard since my last.

(Signed) BENHAM,
Commanding.

ATLANTA, 22.—President Hayes and party arrived here at half-past seven this morning. After a breakfast in the Markham House, a drive was taken about the city, and at ten o'clock from a stand in front of the hotel, and in the presence of 10,000 citizens, Mayor Angier, on behalf of the municipality, welcomed the President, and Governor Colquitt, for the people of the State, and spoke words of hearty welcome.

President Hayes was introduced and greeted with great cheering. He delivered a lengthy address, concluding as follows: I shall not forget this reception and this greeting. Every good purpose I have will be strengthened by what I have seen and heard to-day. I thank you for the help it will give me hereafter during my term of office. I bid you good morning. (Cheers)

Secretary Evarts and Postmaster General Key made addresses as elsewhere.

The banquet in the evening was a grand success. Speeches were made by Hayes, Evarts, Key, Ben Hill and Gordon.

The President's party left for Knoxville at 11 to-night.

PHILADELPHIA, 22.—The *Record* says: The manufacturers of textile fabrics report an increase of their business within the last few months unparalleled in the history of their industry; that the iron industry has received a considerable impetus and shoe manufacturers report an unprecedented influx of foreign orders, which are taxing their productive capabilities to their fullest extent.

FERNANDINO, 22.—Five deaths since the last report, including two sisters of charity. Several new cases, many critical. Weather changeable, with rain. Citizens are despondent. The situation is apparently getting worse.

NEW YORK, 23.—The California rifle team will leave for San Francisco on Monday evening via the Erie, Michigan Central and Great Western, Chicago, Burlington and Quincy, and Union and Central Pacific railroads. The team will have a special car from Jersey City depot, in which the trophy won in the interstate match will be displayed. The "Soldier of Marathon," occupying a post of honor in the centre of the car. The Erie company have decorated the outside of the car with festoons of red, white and blue muslin, surrounding the words, "California Team, homeward bound with Trophy of Victory." A delegation of friends will see them off.

Clarence Gommersall, son of a New York broker, was shot and killed in Newark, N. J., yesterday, by an infuriated husband, in whose house Gommersall was found.

The steamer *Guillermo*, from Sagua, which arrived at quarantine yesterday, had one case of yellow fever on board. The patient has since died.

The brig *Rhone*, from Matanzas, is at quarantine. Two men died on the passage with yellow fever.

The Phoenix paint store, owned by Emil Hartman, at Green Point was burned to-night; loss \$100,000.

ST. LOUIS, 23.—Chas. W. Puester Young, book-keeper for Emanuel Hoffman, wholesale tobacconist, was arrested yesterday, charged with embezzling over \$7,000 from his employer.

CHICAGO, 23.—The *Times* Washington special says, Senator Conkling is preparing an exhaustive speech upon the subject of the President's civil service order. He will not assail the President's motives, but will claim that the