

would not allow any other dog to approach.

The testimony was to show, beyond a doubt, that a mule and some horses, which formerly belonged to Mr. Simpson were afterwards in the possession of Williamson, who appears to be the party who cuts the leading figure in the affair.

The examination was to be resumed at one o'clock this afternoon.

Trees and Shrubs.—Last Spring a gentleman from Ohio visited this Territory, soliciting orders for fruit trees, shrubs, &c., he agreeing to forward them here in the Fall. He was largely patronized, and has just filled the orders he received, according to agreement. While we have no disposition to say anything derogatory to the quality of the trees for we believe they are generally of good quality, we may be pardoned for stating our sincere belief that those who purchased those nursery importations could have spent the same amount of money to as much, and in some cases considerably better, advantage to themselves, price and quality considered, in purchasing trees of the same kinds raised at home, by our own nurserymen. And in doing so they would not only have had the satisfaction of doing as well peculiarly for themselves, but also of sustaining the material interests of Utah, which ought to be an important consideration with all of her good citizens. It is probable too, that some may discover that when acclimatization is considered the advantage may be largely in favor of the home trees.

We do not know but some of our home nurserymen are somewhat to blame in not pushing their productions sufficiently in the market. Utah fruit has already attained considerable of a name and fame, and we think that, had some of our own raisers of and dealers in fruit trees been as wide awake, industrious and pushing as the gentleman from Ohio, they might not only have had a better market for their productions at home, but they might even have found an open and excellent market for them abroad, and the same will apply to many other branches of industry.

Murder and Robbery in California.—Mr. James B. Price, well known to many of the people of this Territory, sends to Brother William L. Price, of this City, the particulars of the killing of one of his sons, desiring that they should be published in the NEWS. The letter was dated at Davisville, Yolo Co., Cal., Nov. 9th—

"While I attempt to address you my soul is bathed in bitter affliction. A terrible calamity has befallen me and mine. It is sad to see the distress of my dear wife and children. One of our dear boys has been killed by the hand of a blood-thirsty assassin.

"My heart is too full to write. I will enclose a couple of newspaper clippings, which contain all that is known about the matter. The ad was struck on the head, near the left temple, with some implement (supposed to be a sand bag) which produced concussion of the brain, without fracturing the skull or even cutting or tearing the skin."

The letter further states that, from testimony given at the inquest, it appeared probable that the lad lay for four or five hours in a state of unconsciousness after receiving the blow, and before he was discovered. He was found about four p.m., on Saturday, Oct. 31st, and lived until about 8 p.m. Tuesday, Nov. 3rd. Although he suffered from convulsions he never once regained consciousness. He was a lad of great promise, having given evidence of excellent mental and moral organization.

Here is one of the newspaper clippings referred to by the writer of the letter. It is from the *Marysville Appeal*, of Nov. 5th—

"On Saturday afternoon about one o'clock a young man named James B. Price, aged seventeen years, son of J. B. Price, of Davisville, Yolo County, was found by Charles Kinkead lying insensible on the road about three-quarters of a mile west of town. He had been laid off on Friday, and had given money to his mother, and had only a small sum of money when he left home. He is not known to have spent any up to the time when he was found in the road, and as his pockets were turned inside out, it is believed he was robbed."

BY TELEGRAPH.

AMERICAN

CHICAGO, 14.—A Boston special says that the well known firm of Kilham, Loud & Co., ship brokers, has been somewhat embarrassed of late, on account of the general depression in freights and shipping. They own, wholly or in part, from twenty to thirty three-masted schooners, besides a large number of square-rigged vessels. There has been a large falling off in the value of vessels of this class, owing to the increase in the number of steam colliers, which have taken away the coal trade from sailing vessels. The falling off in freight has also been so great that shippers send by steamer almost entirely. The Nova Scotia trade is carried on now by steamer, and even lumber carrying between the United States and the British provinces is largely done in steam vessels. Many of the largest firms in this city have been ordering their vessels home in ballast. The assets of the firm are estimated by themselves at \$650,000; their liabilities at \$400,000. They have formally asked an extension of eighteen months and two years, and it is understood that their creditors are disposed to extend them all the accommodation they desire. The *Saratoga*, their lost vessel, went to sea under bonds.

Little Rock special says that Volney V. Smith, Lieut. Gov. of Arkansas during Governor Baxter's incumbency, arrived in that city at a late hour last night, and issued a proclamation, declaring that by Baxter's abdication he has become governor of Arkansas, and calling upon the people to sustain him. He has also addressed a letter to President Grant, setting forth his claim to the governorship, and the legality of the new constitution, by virtue of which Garland has been installed. Governor Smith disclaims any intention of attempting to take forcible possession of the office, but relies upon the general government to set him right.

A Washington special to the *Post and Mail* has the following in regard to the new complication in Arkansas: "Governor Baxter and Lieutenant-Governor V. V. Smith, were elected to serve four years, or from January 1, 1872, to January 1, 1877. In case of a vacancy in the office of Governor the Lieutenant-Governor is required by the Constitution to discharge the duties of Governor. Such vacancy has occurred by the abdication of Governor Baxter, who has turned over the State archives to one A. H. Garland, claiming to hold the office of Lieutenant-Governor by special election under the new constitution, on the 13th of last month. Lieutenant-Governor V. V. Smith, who has since 1872 been recognized as such, and whose term of office does not expire until 1877, claims the office of Governor, vacated by his superior, and this morning telegraphed to President Grant, asking to be recognized as such. The subject is now engaging the attention of the administration, and it is probable that V. V. Smith will be recognized as Governor, and that Garland will be required to turn the State archives over to him."

Boston, 14.—The Solicitor of the Treasury, yesterday, formally demanded of the treasurer of the Union Pacific the five per cent. of the net earnings of the road, from Nov., 1869, to last October 31st, amounting to \$1,040,056, to be paid within sixty days. The directors express great surprise at this demand, which implies the rejection by the government of the recent commissioner's report.

An offer of \$35,000 a year for the lease of the lines of the Franklin Telegraph Company has been made by Boston capitalists interested in the line; the offer is made because of the recent effort, in a stockholders' meeting, by the Atlantic and Pacific Telegraph Company, who own a controlling interest, to lease the property to themselves for \$25,000 a year.

WASHINGTON, 14.—Assistant Secretary Robeson, of the Treasury Department, is now on his way to the Pacific Coast, for the purpose of making a formal demand on the various railroads receiving government aid in construction, for five per cent. of their net earnings, as provided for by Congress; should these demands not be complied with, the Attorney General will bring a suit for its payment.

Kwong Ki, one of the Chinese commissioners appointed by the government to superintend the education of Chinese youths in this

country, called on the President to-day to pay him his respects; he has recently placed thirty Chinese youths at Harvard College, and is now travelling over the country, though not in any official capacity.

Among the arrivals in Washington to-day, are Elisha H. Allen, chief justice and chancellor of the Sandwich Islands, and H. A. P. Porter, special commissioner.

A telegram has been received by the President, signed by all the State officers of Arkansas elected at the same time as Lieut. Governor Smith, who now claims to be governor, stating that they recognize Smith as the legitimate governor, Baxter having retired. The point made by the gentlemen here, in the interest of Smith, is that the new constitution is of no effect, not having been adopted in accordance with the required forms, and therefore Garland, assuming to be elected under it, has no right to the governorship.

The proclamation of V. V. Smith, claiming to be Governor of Arkansas, addressed to the President and asking for federal assistance, was received at the executive mansion this morning, and was referred to Attorney-General Williams; no action has yet been taken. Several parties from Arkansas to-day visited the President and the Attorney General in connection with this matter.

NEW YORK, 14.—In a trot to-day, "Copper Bottom," under the saddle, defeated "American Girl" to harness, in three straight heats; time 2:22, 2:26, and 2:25.

At a fire in East 38th St., this evening, a child and an old woman were suffocated, and two persons were seriously injured while escaping from the flames.

NEW YORK, 14.—The committee of the Methodist Church to-day, voted \$7,000 for the Chinese mission in California; it was stated in the committee that there are fifty Chinese temples in California.

On the stock exchange to-day, the Union Pacific declined to 34, on the receipt of a dispatch from Boston, stating that the Solicitor of the Treasury had made a demand for the payment of five per cent. of the net earnings of the company from November, 1869, to October, 1874, but recovered later to 35, on the receipt of another dispatch from Boston, stating that the officials of the company stated that five per cent. of the net earnings shall be paid after the road is completed. The officers of the road further state that the Solicitor's claim will not stand law, as the government commission did not make a report till October, 1874, and hence the road was not completed in the eye of law till this commission declared it so.

CHEYENNE, WY., 15.—Indian Agent Savilla has forwarded a petition to the President, signed by the principal chiefs of the Sioux nation, asking pardon for Tonsant Kensler, the noted half-breed murderer, who is now in jail here, and sentenced to be hanged on the 19th inst.

Mary Harvey, horribly burned by the explosion of a kerosene lamp yesterday, died this morning.

RICHMOND, 14.—T. T. Brooks, late president of the Merchants' national bank, at Petersburg, was arrested on a charge of embezzling \$300,000 to \$400,000.

BALTIMORE, 14.—Father Gorde-man was arrested this afternoon, on a charge of embezzlement and is held for the arrival of a Philadelphia officer.

The steamer *Louisiana* collided with the *Falcon* in Chesapeake Bay, last night, and sank; loss \$150,000, uninsured.

SAN FRANCISCO, 14.—At two o'clock the judges struck the bell for the horses to come out for the start. At this time people were still flocking through the grounds, which presented a magnificent spectacle, eclipsing that of the great running race of last year. All the horses were on the track, but no scoring for the start yet. For the second heat "Katie" sold at 2,100, to 500 on "Thad Stevens," "Joe Daniels" was the third choice, "Thad Stevens" and "Alpha" were reported lamed.

On the first heat the horses got off well together. "Thad Stevens" took the first three miles, closely pursued by "Katie Pease," and the last mile was won by the latter; time 7:43. "Stevens" was held in by his driver on the last mile and came in about four lengths behind. "Joe Daniels" was second.

"Katy Pease" wins the second heat and the race, time 7:36; "Joe Daniels" broke down, "Henry" 2d, "Hardwood" 3d, "Thad" 4th, "Hocking" 5th.

"Katy Pease" wins the last heat and the race, time 7:36.

Over thirty thousand people witnessed the great running race, to-day, at the Bay District Fair Grounds. The contest was mainly between "Katy Pease" and "Thad Stevens," the former winning in two straight heats. The friends of "Thad Stevens" were greatly disappointed. At the close of the second heat the race was the most exciting ever witnessed here. "Joe Daniels" and "Hock Hocking" were distanced in the last heat of the race, and the field barely saved themselves.

NEW YORK, 15.—The out steamships still carry a large number of steerage passengers. The *Victoria* to-day, took 250, the *Donal* 150, *City of New York* 300, *Republic* 290, *Egypt* 30, *China*, from Boston, 200.

The *Herald's* New Orleans special says that ex-governor Wells, president of the returning board, says he has official knowledge that additional federal troops have been ordered to New Orleans, and intimates that in the congressional districts where the board discovers informalities in the election they will refuse certificates to their candidates, leaving the government to order a new election within thirty days. Another special says that a long dispatch, reporting a fiery editorial advocating the assassination of every radical counted in by the returning board, has been received from Shreveport. The leaders of the White League favor moderation until Congress meets unless, in the meantime, the returning board forces on the issue, when it will be met without any conflict with the federal government.

A London special gives the details of a controversy between Gladstone and Archbishop Manning. A pamphlet recently issued by the former reiterates the views expressed in his article on ritualism in the *Contemporary Review*, and centres upon the proposition that no one can become a convert to Rome without renouncing his moral and mental freedom, and placing his civil loyalty and duty at the mercy of another. He declares that the Vatican Council established even a wider claim than infallibility, viz., of absolute and entire obedience, he therefore calls upon Catholic citizens to demonstrate to the contrary, or to reject it. He expresses a decided opinion that the real object of the Vatican policy is to renew the struggle for temporal power. He ridicules such a project, but adds that it is difficult to over estimate the effects of the strife, as it would probably jeopardize the peace of Europe. He closed with an appeal to citizens of the nineteenth century to follow the example of their forefathers of the sixteenth when marshalled to resist the Armada, declaring that England's stout-hearted race is not to be hindered by foreign influence or caste from accomplishing her mission in the world.

Archbishop Manning, in a letter dated November 10, to the *Herald*, asserts that he assisted in framing the Vatican decrees, which have not changed one jot or tittle the obligations of civil obedience that Catholics bear toward the civil power, and in proof thereof he asserts that the doctrine of infallibility was a divine trust before the Vatican council was held; that the council announced no new dogma, but simply declared an old truth; that the position of the Catholics in respect to civil allegiance was precisely as before; that on which the civil powers of the Christian world have hitherto stood in pacific relations with the infallible church, and this relation was afterwards recognized and declared in the councils of the church before the Vatican Council, and that the Council made no decrees in regard to civil powers nor on civil allegiance, this subject being never even proposed. The Archbishop says civil obedience rests on natural law, but that revealed truth is the law of God. Society is founded on nature, and its subjects are bound in all things which are lawful, to obey their rulers. Mr. Gladstone's argument hangs upon an erroneous assumption, and "I can only suppose him to have been misled by a misplaced trust in Dr. Dollinger and his friends; but for my belief in Gladstone's sincerity, I should say it was an act of injustice, out of harmony with the great statesman's life, and unless the

providence of God and the good sense of Englishmen avert its evils, the consequence may tarnish his great name." The *Times* sides with Gladstone, saying that the important question of what is lawful can, according to the archbishop, only be decided by the Pope. The *Telegraph* says the pamphlet has revived the nation's confidence in Gladstone. The *Pall Mall Gazette* contends that Gladstone is not right in flinging a firebrand into a religious community, saying, it was none of his concern whether Catholic principles lead to disloyalty; it is no part of a statesman's duty to raise a popular outcry while the dangers remain theoretical. The *Post* says that reverence for our institutions is not Gladstone's strong point, and this is not his first miscalculation.

Numerous meetings of longshoremen were held to-night, which adopted resolutions to strike in a body if the employers made the proposed reduction of wages. Italians will work at reduced rates, and it is feared that the longshoremen will resort to violence. Measures have been taken by the police to prevent trouble.

WASHINGTON, 15.—Accounts from Virginia say that in almost every direction in the Dismal Swamps and its environs fires, which originated almost a month ago, are burning with alarming rapidity, and valuable timber lands are a prey to the flames.

FOREIGN.

BERLIN, 11.—The municipal tribunal has requested the provincial court of Vienna to insist on Lousier and Lecher, editors of the *Presse*, disclosing the source of the Von Arnim dispatches published by them. The Austrian penal code sanctions this course in such cases, but the Vienna court declined so to act, observing that as this was a matter important to Prussia, it was not to Austria.

BRADFORD, 11.—The Yorkshire chamber of commerce, to-day, unanimously adopted a memorial to the government, condemning the proposed reciprocity treaty between Canada and the United States, and deprecating the imposition of lower duties in Canada than in England.

LONDON, 11.—The New York *Herald* correspondent, at Okharto, Africa, reports, under date of yesterday, that on the 10th inst., the return of Col. Long from Gondokoro, bringing intelligence of his discovery of a new river situated in lat. 1 38 mins. north, flowing into Victoria Lake. The road between Uganda and Zanzibar is very unsafe. The results of the late International Conference at Brussels will form the subject of fresh negotiations between some of the governments represented thereat. Russia asks that the conclusions of the conference be embodied in a regular treaty between the nations whose representatives signed the agreement.

Stafford Northcote, Chancellor of the Exchequer, replying to a communication from the chairman of the board of directors of the Direct United States Cable Co., says the government has no intention of purchasing the direct cable, or any other ocean telegraph lines.

LONDON, 12.—Dr. Kenealy, in a letter excusing his non-attendance at the meeting of the bar, announces that he has been debarred by the benchers of Gray's Inn.

The *Times* correspondent telegraphs that the garrison of Irún, in their sortie, burned houses and farm buildings belonging to the Carlists, one of which afforded them a shelter. The havoc thus created was immense, all the country round was in flames.

A special dispatch to the *Telegraph*, from Vienna, announces that diplomatic information has been received from Constantinople, that orders have been issued by the Porte to concentrate Turkish troops near the Servian and Montenegrin frontiers, and that the governors of Janina and Priesend, in Albania, have been ordered to organize the Mahomedan inhabitants of the province.

DIED.

At Adamsville, Oct. 23, from being accidentally shot on the 22d of October, JOHN WILLIAMS REES, eldest son of Waikin and Jane Rees, aged 18 years, 11 months and 3 days.

He was a deacon in the Church of Jesus Christ of Latter-day Saints, and died in full faith and he was much respected. The funeral was very largely attended.