Local and Other Matters.

FROM SATURDAY'S DAILY, MARCH 6.

Another Squabble in Court.—This morning the Third District Court was the scene of another unseemly acrimonious squabble. On Thursday Chief Justice McKean and Attorney George E. Whitney engaged in a personal war of words, and indulged in flinging acrimonious statements at each other in the heat of half smothered passion, in open Court, terminating in the attorney, after adjournment, giving the lie to the Chief Justice, and this morning there was still another exhibition of apparently almost uncontrolable anger and petulance on the part of the Judge.

This morning the Court instructed the jury in the disputed township lot case of Albina L. Williams *et al vs.* Benjamin F. Cummings. The counsel for the plaintiffs, Messrs. Morgan and McBride, did not submit any propositions with accompanying request for the Court to instruct the jury, preferring to let the latter be charged without. Messrs. Snow and Hoge, for defendant, however, submitted six propositions, asking the Court to instruct the jury in accordance therewith. Those propositions were read by the Court one by one in regular order, and one by one in regular order the Court told the jury that he could not so instruct them, the propositions being, in his opinion, bad in law. He admitted, however, that there were points in some of the propositions that were good, but when a proposition was laid before the Court the law required that it must either be accepted or rejected in toto, as it was not for the Court to analyze each proposition, throw aside the parts that were bad, and instruct the jury on isolated sentences that were good; so the whole six propositions were read, but the Court refused to instruct the jury in accordance with any of them or any portion thereof.

At the conclusion of the charge, Judge Snow asked the court to note an exception to the refusal of the court to instruct the jury in accordance with the propositions alluded to.

Judge Hoge stated to the Court that he desired that the reporter should take down an exception, he wished noted, so that it could be brought before the Supreme Court in proper shape. The exception was that, as the Court had refused to instruct the jury in accordance with the propositions set forth by the defendant's attorneys, those propositions should not have been read to the jury.

At this the Court bristled all over. Did he understand that the Court should in a private way communicate to attorneys that their propositions were not considered good by the Court? Did the attorney want a private interview with the Court to find out what the mind of the Court was about his propositions?

Judge Hoge stood facing the Court, with his arms folded. He said he had not sought a private interview with the Court, that his exception was not based on the refusal of the Court to instruct the jury, in accordance with the propositions, but on the Court reading the propositions at all, seeing that he did refuse to instruct in accordance with them.

During the explanation of Judge Hoge, he had several times to stop on account of his honor saying he would not allow such a vicious practice in his court, it was a practice unheard of in civilized countries, and he also stopped the reporter taking down the statement of the exception as desired by Judge Hoge.

Judge Snow also interposed a few words with regard to his exception, when the Court said, in a loud tone, that if attorneys did not want their propositions read they should not submit them, and the ones in question were, by the way, "written in a very bad hand."

Judge Hoge said they were not in his writing.

The Court said, in the same loud, metallic tone, that if attorneys were ashamed of their propositions they should not submit them.

Judge Snow said, "I am not ashamed of them; in my opinion they are good; and I am willing to stand by them."

The scene this morning induces the following queries:

1st. Has not an attorney a right to request the noting of an exception, with a view to getting a question before a higher tribunal, whether the court thinks such exception well founded or not?

2nd. Has an attorney a right to differ from a judge sitting in court?

3rd. Is it necessary for an attorney to have his hand-writing publicly animadverted upon, even though his penmanship should be as bad as that of the late lamented Greeley?

4th. Is it right to let your angry passions rise under circumstances requiring that cool discrimination, reason and sound judgment should hold supreme and uninterrupted sway?

5th. Are such scenes as that of this morning elevating or otherwise?

FROM MONDAY'S DAILY, MAR. 8.

"Getting Shook Up."—The Helena *Herald* says, "The new Governor of Utah is getting shook up pretty lively." It is not supposable that any live man minds a little *shooking* now and then.

Not Recovering.—A dispatch received from Bellevue this afternoon, states that Elder Joseph Schofield is still at that place, and that there is apparently no change for the better in his condition.

On Trial.—The major portion of the time of the Third District Court has been occupied to-day in the jury trial of Cullen C. Eddy *vs.* Humphrey Rogers, Marshal and Royle for plaintiff, and Hoge and Jonnassen for the defendant.

Tenth Ward Sunday School.—The children of the Tenth Ward Sunday School had a good time yesterday morning, the occasion being the redemption, with prizes, of the tickets held by the scholars. The prizes consisted of photographic likenesses, in neat frames, of the First Presidency of the Church, of the deceased Bishop of the Ward and also the present Bishop, and other suitable articles.

A present was also made to the Superintendent, Elder Jas. Woods, as a token of appreciation of his efficient services by his assistant teachers and the scholars, in the shape of a neatly bound, gilt edged hymn book.

This Sunday school is in a thriving condition.

Verdict for Plaintiffs. — This morning, in the Third District Court, the jury in the case of Albina Williams *et al. vs.* B. F. Cummings, involving the right of possession to a half town lot in the Twelfth Ward, handed in to the Court a sealed verdict, upon which they had agreed about midnight on Saturday. It gives the right of possession to the plaintiffs, without damage or rent.

Judge Snow, attorney for the defendant, informed the Court that he would be engaged during the next five days, and therefore desired that ten days additional be allowed in which to prepare papers, etc., in making an application for a new trial, and that the execution be not issued in the meantime, which was granted.

A Capricious Fellow.—This morning John Edward Rafferty, a boarder at the Overland House, ordered some liver for breakfast, which was given him. After demolishing all of it but an infinitesimal piece, he told the waiter he wanted some liver that was well done. "What you got was well done," said the waiter. "Do you mean to call me a liar?" said Rafferty, and, suiting the action to the words, he gave the unfortunate waiter a dig on the side of the head, and was about to repeat the dose with a plate, when Mr. Pitt, one of the proprietors of the house, interposed, telling Rafferty he would either have to behave himself or leave, but he preferred neither to behave nor leave. So Mr. Pitt endeavored to take him out, and in the scuffle Rafferty forgot all about his predilection for liver and appeared anxious to masticate a piece of Mr. Pitt's nose. To protect his facial ornamentation from carniverous disfigurement, the latter put up his hand to guard it, when the rapacious cannibalistic Rafferty forgot for a moment his inclination for both liver and nose, and seized hold of Mr. Pitt's thumb with his teeth, biting it so severely that it is probable the nail will come off.

Rafferty was arrested, and the above recited circumstances coming under the judicial cognizance of Justice Pyper, the latter fined him $25.

Two Days' Meetings at Mill Creek.—By invitation of Bishop R. Miller, the Home Missionaries of Salt Lake City held two days' meetings at MillCreek Ward House on Saturday and Sunday, March 6th and 7th.

On the first day Elders L. D. Young, S. Woolley, C. J. Thomas, C. Wilkins and W. G. Young met with the saints and delivered addresses on some of the prominent principles of the Gospel, spoke of the evils besetting the young, and urged the necessity of the rising generation obtaining a knowledge of the truth of the work of the Lord for themselves.

On Sunday Elders L. D. Young, J. P. Freeze, R. Neslen, G. Teasdale, C. Wilkins, M. B. Shipp, R. Harrison and W. G. Young attended. In the morning funeral services were held, under the direction

Elder L. D. Young, on the death of a young child of Bishop Miller's, and very suitable and consolatory remarks were made by Elders Young, Teasdale and Neslen. In the afternoon spirited and instructive discourses were delivered by Elders Freeze, Harrison, Shipp, Wilkins and L. D. Young. Elder R. Gilbert, with his choir, from South Cottonwood, and the ward choir led in the singing, and enhanced the enjoyment of the congregation by discoursing sweet music in a superior manner. Although a feeling of melancholy was more or less cast over the people in their sympathy for Bishop Miller and his family in their bereavement, still, aside from that, the people appeared to enjoy themselves and drank in freely the valuable instructions imparted.

The inside of the Ward Meeting-house has lately received the finishing touches of the painters. The doors, windows and door-panelings and casings and all the wood work, except the stand, being grained in oak imitation, and the stand is cherry. The top of the pulpit is handsomely cushioned, as also the seats in the stand. A large cornice, with four handsome centerpieces, adorn the ceiling. On the front of the gallery, in the north end, are painted several appropriate mottos. Commodious settees are placed upon the floor, altogether making the room one of the best finished and most conveniently seated halls in the country, and a great credit to Bishop Miller and the people of his ward.—J. F. S.

Another Escape of Penitentiary Prisoners.—Last night, about ten o'clock there was another escape of prisoners from the Territorial penitentiary. The names of the parties who thus made their unceremonious exit are John Goodman, indicted by the grand jury of the Second District, for assault with intent to kill, this being his third escape from jail since his committal; George Lewis, convicted of gambling, broke his bonds before his trial; Charles S. Williamson and John Smith, convicted of the larceny of a note from the person of a dead man who had evidently been murdered; Charles Buckley alias William Bryant, an old penitentiary bird, under commitment of a Corinne Justice of the Peace, for assault with intent to kill.

It appears that those men, all hard cases, were confined in a room constructed of planks laid on their sides one over the other and bound together with powerful iron spikes, making a pretty strong place with walls ten inches in thickness. Two of them were in irons, but they must have been armed with files and probably steel saws, as the irons were soon taken off, it is said in about twenty minutes. They next cut an aperture in the wall, sufficiently large to admit of a person passing through. After emerging from the room it is supposed that they scaled the outer wall by getting on each other's backs, Goodman, who is a small man, getting on top, and on getting upon the wall, fastening to some iron spikes an extemporized rope, made from the prisoner's bedning, up which the others climbed, hand over hand, dropping on the other side.

News of the escape reached U. S. deputy Marshal A. K. Smith about midnight, and as soon as possible he dispatched a body of men, armed and provisioned, on a hunt for the fugitives.

It is surmised that the men who escaped traveled eastward some distance after leaving the Penitentiary, and probably subsequently scattered in different directions.

Shafer, under sentence of death, was confined in the same compartment, but did not leave, probably because of his feet being so badly frozen when he escaped from the county jail as to cause him to be very lame.

Colonels T. E. Ricks and W. H. Dame were also in the room, but refused to avail themselves of the opportunity to get away, although awaiting for months an opportunity to defend themselves against the charges under which they are confined in a public jail with the worst class of characters for their companions. This is the second time that Col. Ricks has had a chance to get away had he been so disposed, but he prefers to meet the charges against him in a court of law, that he may prove his innocence of them. He has been vainly waiting about five months for trial, which has been persistently put off on one pretext or another. Meantime how is it that escape after escape of prisoners takes place and the guard sees nothing of it?

Attorney George E. Whitney Adjudged Guilty of Contempt.

In the Third District Court this morning, Chief Justice McKean read to the gentlemen of the bar present from chap. 8 of the compiled Laws of Utah, and section 459 of the Practice Act, relating to matters of contempt, and then read the following order:

Territory of Utah, Third District Court } March Term, 1875.

In the Matter of George E. Whitney, Attorney-at-Law.

The present term of this court having commenced on Monday, the 1st day of March inst., with a petit jury, and no jury case being ready for trial on that day, the Court adjourned till Tuesday, the 2nd day of March, inst., on which day the Court called for trial one hundred and seventy-three jury cases, but none were ready for trial. The Court thereupon ordered that the first five cases on the calendar should be set for trial in their order, on Thursday the 4th day of March, inst., reading such cases aloud by their titles, and also ordering that such titles and assignments should be published in the newspapers. The jurors were thereupon dismissed till the last named day, on which day, to wit, the 4th day of March, inst., this Court was again in session, with the petit jury, and called for trial the five cases so assigned for trial on that day, among which cases was that of "The Utah Silver Mining Company, *vs.* John *et al.*" Thereupon, on the call of this case by the Court, Mr. Thomas Marshal, of counsel for the defendants, announced that he was ready, but Mr. George E. Whitney, a member of the bar of this Court, appearing for the plaintiff, said that this case had not been assigned for trial on that day; and he was thereupon informed by the Court that it certainly had been so assigned. The said Whitney then falsely contradicted the Court, and again falsely and contemptously denied that the case had been so assigned for trial; thus, by implication, falsely charging the Court with misrepresenting its own official act. The Court, instead of arresting, fining, imprisoning, or disbarring the said Whitney for his contemptuous conduct, then condescended to state, that on the 2nd day of March, inst., the Court publicly announced, the said Whitney being present, that this case was one of the five designated for trial on the 4th. inst., and ordered the fact to be published in the newspapers, and that it was so published, and that the trial must proceed. The said Whitney then again falsely and contemptuously contradicted the Court, and falsely and contemptuously denied that the case was so assigned for trial, at the same time saying, "I will make an affidavit," and, advancing to a table and taking pen and paper, seated himself, ostensibly to write. The Court then said that counsel would not be permitted to neglect their duties, and falsely blame the Court for delay in the trial of causes. The said Whitney then sprang to his feet, and, without addressing the Court, as is usual with honorable members of the bar, demanded, with an imperious and insolent tone and manner, if the Court meant him by that remark. He was informed that the Court certainly meant him, and that he was by far the most persistent fault-finder at the bar. The said Whitney then said, "This case is not mine," and again sat down and took up his pen, ostensibly to prepare an affidavit. The Court then informed the said Whitney, that if the case was not his, it was a gross impertinence in him to appear and address the Court in it; and that, unless he withdrew that declaration, and declared to the Court that he was authorized to appear in the case, the Court would hear nothing further from him in it. The Court waited for an answer. The said Whitney sat in silence. Mr. Marshal, of counsel for the defendants, then moved that the case be continued for the term. The Court said, "Who answers for the plaintiff? Is any one present authorized to appear for the plaintiff?" No one answered, and the Court ordered the case continued for the term.

After having transacted other business, the Court adjourned for the day; the judge descended from the bench, the said Whitney instantly, in the Court-room, at the foot of the steps by which the Judge had descended from the bench, turned abruptly to the Judge, with a grossly insolent tone and manner, demanded of the Judge, "What do you mean?" The rest of the exclamation not being understood by the Judge, who replied, "I decline to hold any conversation with you," and passed on, and, as the Judge was passing through the door, out of the room, the said Whitney shouted at him, "If you mean to say that I said what was false, you lie!"

The Court having purposely waited now four days, and having given, in vain to the said Whitney the most ample time to coolly deliberate, and to come into Court and voluntarily make such apology as, under the circumstances, an attorney of honorable instincts would not hesitate to make;

Now, therefore, because of the facts and premises herein above recited, it is hereby ordered and adjudged that the said George E. Whitney is guilty of contempt of Court.

And this Court, having, for some years, and for too long, forborne to take notice of the offensive conduct in Court, of this most conceited, querulous, and supercilious member of the Salt Lake bar, now, because of the contempt of Court, of which he is herein adjudged to be guilty; and in pursuance of the provisions of Chap. 8 of the Compiled Laws of Utah, and of section 459 of the Civil Practice Act; and in pursuance of the authority of this Court, independent of any Territorial statute, it is further ordered and adjudged, that the said George E. Whitney do pay the fine of one hundred dollars; that he be, and he hereby is forbidden to practice his profession in this Court, until, in open Court, at such time as shall suit the convenience of the Court, he shall, in person, in writing, signed by himself, make an unequivocal, acceptable apology for the contempt of Court of which he is adjudged guilty.

And it is further ordered and adjudged, that, in default of such payment and apology, within one month from the date of this order, the said George E. Whitney be disbarred, and his name stricken from the roll of attorneys, solicitors and counsellors of this Court.

Done in open Court, this 8th day of March, 1875.

James B. McKean, Chief Justice, &c., and Judge of Third District Court.

BY TELEGRAPH.

CONGRESSIONAL.

SENATE.

WASHINGTON, 4.—Before the adjournment of the Senate yesterday, Bayard, of Del., submitted a resolution of the thanks of the Senate to the Hon. Henry Wilson for the impartial and courteous manner in which he had presided; agreed to.

Mitchell, of Oregon, called up the Senate bill to provide for an extension of the time for completing the survey and location of the Portland, Dalles and Salt Lake road; passed.

Hitchcock, of Neb., called up the House bill to provide for the construction of a military wagon road in Arizona; passed.

AMERICAN.

WASHINGTON, 4. — The sundry civil appropriation bill, as enacted, contains the following: $200,000 for the Mare Island navy yard; $100,000 for continuing the work on the building for the San Francisco appraiser's store; $150,000 for out-