

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - - Nov. 18, 1874.

We commend to the courtesies of the presiding Elders and Bishops of the Southern Settlements, Elder Wm. Bramall, of Springville, who is traveling in the South as our duly authorized Agent, soliciting subscriptions and transacting business generally connected with the DESERET NEWS Establishment. Any favors extended to him will be duly appreciated and reciprocated by

DAVID O. CALDER,

Editor.

EDWARD CREIGHTON.

THE death of Edward Creighton at Omaha was announced a few days ago in our dispatches. The Omaha Herald has a sketch of his life, from which we condense a few particulars. He was a gentleman well known and much respected in Utah. He was born in Belmont county, Ohio, August 31, 1820, being a son of James Creighton, a native of Ireland, and had five brothers and three sisters, two brothers and two sisters still residing at Omaha. He married Miss Loe. Wareham, of Dayton, O., in 1836.

He started out in life, a poor, unknown boy, fighting his own way in the world, and contributed of his scanty earnings to support his parents. He went to Omaha in 1856, removing his family there the next year. He became a contractor on public works, finally making a specialty of building telegraph lines. He began in 1846 with putting up the line from Columbus, Ohio, to Wheeling, Virginia, and ended with the Pacific line, which he commenced in 1860. The line was constructed from the two extreme points, San Francisco and Omaha, meeting near Fort Bridger Oct. 17, 1861. He was general manager of the line until 1864, when he retired at his own option, and was succeeded by W. B. Hibbard.

He engaged largely in freighting across the Plains and to Montana in 1862, and the same year, in association with his brother, John A. Creighton, became an extensive grazer on the Plains. Edward Creighton was also connected with Kountz Brothers in banking in Omaha and Colorado, being a heavy stockholder in the First National Bank of Omaha, and President of the same. He was a large stockholder in and President of the Omaha and Northwestern Railroad Company.

The Herald speaks of him in the highest terms as a man and a citizen, whose word was as good as his bond. He had one child, a boy, born in 1859, and who died in 1863.

STRANGE EFFECT OF MATRIMONY.

The Paris correspondent of the London Daily Telegraph tells of a curious connubial circumstance in France recently—

"A strange incident is reported from Lyons, of which I first heard some days ago, without crediting it. On the 6th of October two young people were married in that town. Within a few hours of the ceremony they became insensible, and have remained so ever since. The Lyonsese doctors have exhausted their science in this case, and the luckless pair, though alive yet, are evidently sinking from mere starvation."

The correspondent gives the following clue to the cause of the above phenomenon—

"There can be no question but that some narcotic of the most violent class has been given them, probably as a joke. To-day we are

told that a young man, apprenticed to a chemist, has been arrested on suspicion. But it is believed that several of the marriage guests bore part in the affair, which was meant as a jest only."

HOW ABOUT 1876?

The elections being over, the next grand political topic of general and absorbing interest is that of 1876, the presidential election, concerning which the political prophets are already airing their prognostications. The Baltimore American is sanguine on the Democratic side, and indulges in a most favorable showing for that party. Supposing that the States which have voted this year, give similar majorities for the same party as they have recently done, the American concludes that, so far as they were concerned, the electoral vote would be as follows—

Democratic.		Republican.	
Alabama.....	10	Michigan.....	11
Arkansas.....	6	Wisconsin.....	10
Delaware.....	3	Iowa.....	11
Georgia.....	11	South Carolina.....	6
Kentucky.....	12	Rhode Island.....	4
Maryland.....	8	Vermont.....	5
Massachusetts.....	13	Maine.....	7
Illinois.....	21	Nevada.....	3
Louisiana.....	8	Nebraska.....	3
Missouri.....	15	Minnesota.....	5
New Jersey.....	9	Florida.....	4
New York.....	35	Kansas.....	5
Pennsylvania.....	29		
Tennessee.....	12		
Texas.....	8		
Virginia.....	11		
Ohio.....	22		
Indiana.....	14		
North Carolina.....	10		
Oregon.....	3		
West Virginia.....	5		

Thus 21 States are represented as going the democratic ticket and 12 the republican this year. The 21 have 264 electoral votes, and the 12 have 74. It will be generally thought that the democrats will not have this heavy majority in 1876, but they may, for it is quite as likely, now that the tide has turned, that their majority will increase as that it will diminish. Hence, says a contemporary, "The prospect is such as to put the republican party on its mettle to recover the ground that has been lost, or be worse defeated."

MORE HARM THAN GOOD.—The N. Y. Christian Union of Nov. 4 says—

"If we may believe the intelligent and apparently candid Salt Lake correspondent of the Evening Post, the anti-polygamy law lately enacted by Congress is doing more harm than good. It is impossible of enforcement, and the leaders of the Mormon Church have been instigated by it by a fresh defense of polygamy, which was before dying out under the operation of inevitable causes."

We presume the Union means the Poland bill, passed last session. It was an eminently unfair bill, but not nearly so bad as its originators desired. That it is doing more harm than good directly is very likely, as all proscriptive laws do, but such legislation helps to bring about the ultimate defeat and disgrace of its authors and abettors, and thus eventually serves the ends of justice. We have no doubt that not only in Congress, but in this Territory also, those who have been so warmly in favor of unfair and persecutive legislation will have to "step down and out" by and by, without any good wishes from the people on their heads.

STATE AND MUNICIPAL DEBTS.—An exchange has the following concerning State and other public organizations getting into debt—

"The recent discussion of State, county, city and town debts in the United States has brought out the fact that twenty-two States prohibit the loan of State credit or money to corporations for internal improvements or any other purpose, six States virtually prohibit the creation of a State debt for any purpose whatever, and nine States prohibit the engagement in any work of internal improvements in the name and at the expense of the people."

TAKING COMFORT.—Some of the Republican journals in the East are taking all the comfort they can under the late election reverses. One of them piously quotes Scripture as follows—

"For whom the Lord loveth he chasteneth."—Heb. 12. 6.

THE UTAH DELEGATE AND THE HOUSE.—The Washington correspondent of the New York Republic has the following—

"The case of Mormon Elder Cannon has not yet received the final action of the House Committee on Elections. Advices from Utah show that the Mormons are greatly elated at the Democratic victories. It is evident that unless the Mormon Apostle is unseated at the coming session of Congress he will certainly be able to hold his seat in the Democratic House. It is a noteworthy fact that the strongest supporters of the case of the Mormon Apostle were the leading Democratic members of the Committee on the Judiciary and other prominent Democrats of the House."

BACHELORS.—The New York Herald, apropos of the election of Mr. (bachelor) Tilden to the Governorship of New York State, says—

"In the Roman Republic bachelors were placed under a ban. In our Republic we make them Governors and Presidents. Does this show progress or reaction in our civilization?"

THE MAJORITIES.—The Washington Star says—

"The tidal-wavists now claim to have rolled up a democratic majority of 70 in the next House, and to have reduced the republican majority in the Senate to 10."

Correspondence.

Frost and Fruits.—Conference—The Latest Crops.

ST. GEORGE, Nov. 8, 1874.

Editor Deseret News:

The early frosts of Autumn have already nipped our plants and flowers most tender, yet in many places it requires careful scrutiny to discover that the hoary headed Norseman has even touched with his tiptoe the most delicate plant.

As yet there is no snow in sight upon the mountains, yet Pine mountain undoubtedly from a north view will show a white mantle. We are still regaling upon tomatoes fresh from the uninjured vine and at mid-day when the mercury runs up to 70° in the shade a cool watermelon is most delicious.

Conference commenced here yesterday, with a good attendance, there being many from the various towns, cities and settlements, besides the great number of new comers, who are here as settlers or to help on the Temple. The meetings yesterday and to-day have been characterized by speakers who interest and an audience giving strict attention.

To-day, we looked through Prest. Young's residence, just now receiving the finishing touches of painters and cleaners.

To the credit of the builder, M. P. Romney, but without flattering, we fully testify that it is the best designed and finished job we have seen south of Salt Lake City.

Prest. Young is expected to arrive two days hence, on Tuesday evening.

Our farmers are now busily engaged in harvesting the fourth crop of Lucerne, and the last of the season. The United Order has raised about fifty acres of broom-corn, and quite a crop of bene and castor oil. They too are hastily crowding the harvest, and cotton pickers are no less busy than the others. Aye! aye! there's labor enough for all and a duplicate set of hands. Weather delightful.

CACHT.

Information Wanted.—J. C. A. Weibye, of Manti, Sanpete County, desires to know the whereabouts of Steffen Jensen Bak and family, who emigrated to Utah from Aalborg conference, Denmark, in 1862.

THIRD DISTRICT COURT.

This morning, in the Third Judicial District Court, Mr. Carey, U. S. Attorney, called up the case of the United States against George Q. Cannon, "for polygamy." He stated to the Court that the prosecution was not ready to try the case at this term, and he supposed the defence would not be ready by the next term, and they, the prosecution, proposed that the accused give bonds to appear at the March term, or until the next term, and then adjourn the case until the March term.

Mr. Sutherland, of Mr. Cannon's counsel said—"I protest against this delay. Mr. Cannon desires to be tried this term. It is well known that he must be absent during the winter, his election to represent the Territory in the national council makes it important to him personally that this criminal charge against him should be tried before he leaves. The Constitution of the United States gives him a right to a speedy trial and he asks that trial at the present term."

Mr. Carey said there was a jury of only sixteen, and each party was entitled to fifteen challenges. He understood and appreciated Judge Sutherland's protest, it was made merely as a matter of form.

To which Judge Sutherland, addressing the Court, replied—"It is not, your honor, a mere matter of form; it is a matter of right, and is of very great importance to the accused. A moment's reflection will make this apparent to any person. The pendency of this charge tends to impair his official influence; it is also a personal annoyance to him, and it is for that reason, to relieve parties promptly who are under such grave charges, that the constitution guarantees to them a speedy and impartial trial."

Mr. Carey said the Court was well aware that it was not the intention to try any criminal cases at this term of court, and he did not see why any exception should be made in regard to Mr. Cannon.

THE COURT. "What am I to understand this application for, to be admitted to bail or for trial now?"

MR. CAREY. "I supposed when the case was called up that it was for bail, but Judge Sutherland seems to press for trial."

MR. SUTHERLAND said that he had informed Mr. Carey some days ago that he should press both the cases against Mr. Cannon for trial at the earliest possible day, and now they were ready, and desired to give bail for appearance from day to day and that some early day in this term might be fixed for trial.

MR. CAREY said that the court could see the impracticability of trying criminal cases at this term with a jury of only sixteen, and especially as he (the public prosecutor) had to be absent trying criminal cases at Provo next week.

THE COURT. "Without now deciding when this case shall be tried, I fix the bail at five thousand dollars, with sufficient surety, for the defendant to appear from day to day."

MR. CAREY then said—"I desire to have Mr. Ricks arraigned this morning. He then read the indictment found by the grand jury charging Thomas E. Ricks with the murder, feloniously, maliciously, with malice aforethought, etc., of Elisha David Skeen, at or near the present city of Logan, Cache Co., U. T., on the 22nd of July, 1860.

When Mr. Carey had finished his reading of the indictment, Judge Sutherland, counsel for the accused, said—"If the court please, the defendant makes several pleas in abatement, one to the jurisdiction of the Court. Shall I read them?"

COURT. "You may, sir."

MR. SUTHERLAND then read the following:

"In the Third District Court of the Territory of Utah.

INDICTMENT FOR MURDER.

"The People of the United States in the Territory of Utah,

vs.

Thomas E. Ricks.

"And the said Thomas E. Ricks, in his own proper person, comes into court here, and having heard the said indictment read, says he

ought not to answer, or to be tried upon the said indictment, for the reason that the persons acting as a grand jury by whom the said indictment was found were not at the time of finding the said indictment, or at any time, a legal grand jury; because he says that twenty-three persons were, on the 7th day of October, 1874, impanelled and sworn in this court as a grand jury; and said persons so impanelled and sworn, acting as such grand jury, constituted as aforesaid and not otherwise, found said indictment, and the said indictment was not found otherwise. And this the said Thomas E. Ricks is ready to verify. Therefore the said Thomas E. Ricks prays judgment of the said indictment and that the same may be quashed.

"And the said Thomas E. Ricks, for a further plea, says that he ought not to answer, or to be tried upon the said indictment, for the reason that the persons acting as a grand jury, by whom the said indictment was found, was not a legal grand jury; because he says that pursuant to the order, direction and notice of the judge of the Third District Court of the Territory of Utah, the names of twenty-three persons were drawn for grand jurors to serve at the October term in 1874 of this court; that twenty-two of the persons whose names were so drawn were summoned to appear and serve as such grand jurors at said term of this court; that each and all of said twenty-two persons so summoned personally appeared in said court on the first day of October term, to wit, on the 5th day of October, 1874; that among the persons who were so drawn, summoned and appearing were Benjamin B. Neff, Lewis B. Wilson and Samuel R. Bennion, who were respectively on the 23rd day of July, 1874, when the list of grand jurors was made, male citizens of the United States, over twenty-one years of age, of reported sound mind and discretion, that neither of them had been convicted of any capital or infamous crime, nor were they, or either of them, so disabled in body as to be unable to serve, either when they were severally listed and drawn, or when they appeared as aforesaid; that each and every of them resided in the Third Judicial District of said Territory for six months and more next preceding the time they were listed as jurors, and still continue there to reside; that they were and each of them was then able to read and write in the English language; and that at the time of said drawing of said jurors and their appearance in court as aforesaid, neither the said Benjamin B. Neff, Lewis B. Wilson or Samuel R. Bennion was exempt, or entitled to be excused from serving on juries; nor were they or either of them subject to be challenged, set aside or discharged from serving on said grand jury for any legal cause; that said Benjamin B. Neff, Lewis B. Wilson, and Samuel R. Bennion were and each of them was on the said 5th day of October, 1874, on motion of Wm. Carey, Esq., attorney of the said people, set aside and discharged from service as grand jurors, and then other jurors were drawn, summoned and sworn in their place on said grand jury at said October term of this court; that they, the said Benjamin B. Neff, Lewis B. Wilson and Samuel R. Bennion were not, nor was either of them, among the persons or jurors of the grand jury, in said court at said October term, who found the said indictment, but the other three jurors drawn, summoned and sworn to fill their places as aforesaid were jurors of said grand jury that found and acted in finding said indictment; that this defendant was not under arrest nor had he given bail to appear at said October term to answer to said accusation contained in said indictment, nor any other offence, prior to the finding of said indictment. And this the said Thomas E. Ricks is ready to verify; wherefore he prays judgment of the said indictment, and that the same may be quashed."

"And the said Thomas E. Ricks for a further plea says that he ought not to answer or be tried on the said indictment for the reason that the persons acting as a grand jury, by whom the said indictment was found, were not a legal grand jury; because he says that pursuant to the order, direction, and notice of the judge of the Third Judicial District of said Utah Territory, the names of twenty-three persons were drawn for grand jurors to serve at the October term in 1874 of this