

POOR COLFAX, now that he finds himself safe back at his old home and among his old neighbors at South Bend, deem it advisable to take two hours to publicly assert, praise and defend his innocence. It is to be hoped, now that he has retired to private life, that the public will not be bored for months with tiresome recitations of his innocence and his virtue, as was the case concerning his proposed retirement. It will be better for him to be silent upon his own wonderful good qualities. He is out of prominent public life, and he is not likely to be called back into it, so that any ostentatious parade of his good character is superfluous. If he will only be content to retire quietly, the country seems in the humor to quietly do without him, so far as public position is concerned, and the public does not manifest any eagerness to hear any further eulogies upon his uncommon virtues, but is contently willing that the South Bendians should monopolize the benefits arising from his character as an exemplar for the rising generation. We are sorry, very sorry for him, but enough has been said in praise of his immaculate character. People do not want to be surprised, even with such good things as Colfaxian virtue. "Let us have peace."

GOVERNOR OF UTAH.—The Ogden Junction of March 8 says later information confirms the dispatch concerning the proposed appointment of Gen. Connor Governor of Utah.

This morning's dispatches say that it is again stated in the East that President Grant has offered the Governorship of Utah to ex-Delegate Chaggett, of Montana. Such an appointment would even an imperial disregard of the wishes of the people. How is it that in this matter appointments are never taken into consideration, but work only to satisfy temporary popular passions? Such a policy can not always be pursued with safety, for it is fraught with danger to the peace and perpetuity of the republic.

DOING THE DIRTY WORK.—The following are severe but deserved rebukes to certain individual and other individuals—

It looks very much as though the agent of the Associated Press located at Salt Lake City, is doing work for the Federal officials in Utah. At all events, scarcely a day passes in which he does not seek to manufacture public sentiment against the Mormons and in favor of the ultra persecutors, and in the name of the Associated Press. His latest effort has been to establish the belief that Brigham Young has a regular credit of \$100,000 in his own name, which Mr. Hooper is the Oakes Ames, and that large sums of money have been used to induce the government to let Utah alone. The speaker, who is a member of the Utah people and territory, directly attributable to the energies of the Mormon people, proves that money has been employed in a different way from Credit Mobilier's. —Chicago Tribune.

Another "range of bad jobs," who could not have the patience to stand the untold hardship and privation the Mormons have made from a desert, which, to-day, would be as arid and sterile as the country 500 miles this way, but for their industry. —Fort Dodge Times.

IF AND FE.—"Why do the heathen on rage and the people imagine vain things?" Says the Montana News North West.

The dispatches for the last few days have indicated that the President is determined if possible to secure legislation which will enable him to suppress the theocratic despotism of Brigham Young in Utah. This authority has been given to the territorial courts with any possibility of success, he tried this sitting as Judge of a United States Court, the processes and verdicts being issued by the United States Marshal.

BY TELEGRAPH.

WESTERN.

SWINOMISH, W. Y., 8.—Advices from the Fort Townsend station of Julien Ahey, who shot and killed Thos. Bozart, a few weeks ago, on the Skadjet river, has been acquired.

HANSON, who shot and killed Patrick Maloy, on the Samble, in a fracas about a squaw last summer, has been sentenced to two years in the penitentiary.

SCATTER CREEK, Cal., 8.—A fatal accident occurred here this a.m., about five o'clock, in which two men named Patrick and George, and George Gardella lost their lives. One Patrick Grady was hurt, though not dangerously. The engineer in holding the train back in the Shelves, broke the chain and let both buckets down the shaft; each bucket killed a man. Chaff was mangled horribly in the breaking chain in the body and made a tearing all the flesh off the bone from the breast bone to the legs. As for the accident, Patrick Grady, with another, descended the shaft in search of Collier's missing arm, and when within fifteen feet of the bottom they tied the bucket with a rotten rope and went to the bottom. Soon after they arrived there the rope holding the bucket broke, letting it down and striking Grady a glancing blow on the forehead, cutting a very ugly gash. Collier leaves a wife and three children.

Headquarters, Texas, Commission, March 7, 1878. Y. C. 8.—Mary, the sister of Captain Jack, came in last night and reported that Jack had accepted the several conditions offered by the Commissioners, General Canby sent word back by her this a.m., that Captain Jack or some of the chief men of the tribe must come in before tomorrow evening, or the troops under his command

would be exterminated. It is expected that he will come in to-morrow, if not war is in prospect. —San Francisco.

SAN FRANCISCO, 9.—Sixty-nine persons have died in this city during the week. —Los Angeles, who shot at O. F. McDermott, was brought before Judge Morrison this a.m., on a charge of murder. The police court fixed her bail at \$5,000, but the district judge reduced it to \$3,000. She procured the requisite bonds and was released from prison. —Ex-Mayor McCoppin and S. Rybe are now in the city.

The Lynn County farmers held their first meeting at the court house to-day, a club was organized and resolutions passed, that they would build warehouses at Albany and Astoria, to handle and store their own grain. They are more tribute to middlemen or any other man. Subscription books were opened and small amounts subscribed. In point of numbers the meeting was successful.

SAN FRANCISCO, 9.—Prof. Fay and a number of the press made another balloon ascension from Woodward's Gardens this afternoon, in the presence of a vast concourse of people. At a great height the balloon was caught in a current of wind, which carried it rapidly over the bay in the direction of San Leandro. At half-past six they are reported to have been moving rapidly towards Alroy.

Captain Gage, of the ship S. G. Reed, which arrived here about two weeks since, died in this city to-day.

Last night a crowd of hoodlums demolished a saloon in Mission street, and threw stones, bricks and bricks. One man in the saloon was badly hurt. A policeman finally came, but not till the rioters had dispersed. Only a few important arrests were made by the police to-day.

PORTLAND, Oregon, 9.—Young Desimore, who was over by freight train last week, died at the Railroad Hospital on Friday evening. He had been a new boy on the Central Pacific for five years.

WINNEPEGUA, Nev., 9.—The epidemic has made its appearance at this place, but seems to be less severe than elsewhere. Only two horses have died so far.

GILROY, Cal., 9.—A German named H. Leocher, a gunsmith of the place, died at his residence to-day. He had been taken on Saturday on a hunting excursion and it is evident from the position in which the body was found that he had fallen from a horse, which he was subject to and was drowned. Deceased was a single man, aged 37, and was a native of Austria.

SANTA CRUZ.—A boy named Wm. Carr, aged 16, was drowned in the San Lorenzo river this a.m. The body was recovered and was taken to the morgue. He was duck hunting at the time when the hunter boy shot a duck, which fell into the water. Deceased endeavored to retrieve it by means of a raft, but fell into the river and was swept out to sea by the current. Several people witnessed the accident but were unable to save him. The body was subsequently recovered.

SACRAMENTO, 9.—The following are the particulars of the shooting affray at Washington, Yolo County, last evening, between Winslow Fickett and E. H. Woods. An unprovoked fight was started between the two families for some time. Yesterday E. H. Woods attempted to remove two logs from the sidewalk front Fickett's residence, but there to prevent teams from destroying the sidewalk. Miss Fickett requested Woods to desist, but as he refused she threw hot water over him and then, with the assistance of her sister and a bromstick, drove him away. The speaker claims that during the melee Woods cut her hand with a knife. Her brother, Winslow Fickett, a few days ago, was shot in the right arm, fracturing the bone. The young man, although unarmed, continued to pursue Woods, when he received the contents of a second chamber in the chest. Fickett is dangerously wounded.

EASTERN.

ESTON, Pa., 9.—Trinity church in this place, which was just completed, was burned last night; loss \$25,000, no insurance.

NEW YORK, 9.—Edward Yates is about to return to England, and was given a farewell banquet on Saturday night by the Lotus club.

SOUTH BRITAIN.—The President authorizing the publication of the following: "Executive Mansion, March 4. "My Dear Mr. Colfax: Allow me to say that I sympathize with you in the recent congressional investigations. I have watched them closely, and I am as satisfied now as I have ever been regarding your patriotism, and of your innocence of the charges imputed to you as if I knew of my knowledge of your personal relations with the late President. The Supreme Court of the United States reverses the action of the territorial courts and Brigham was victor."

Certain it is that President Grant is in earnest on the subject, and if he can secure the requisite legislation and appropriate funds he will not have the patience to stand the untold hardship and privation the Mormons have made from a desert, which, to-day, would be as arid and sterile as the country 500 miles this way, but for their industry. —Fort Dodge Times.

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WESTERN.

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The federal republic was proclaimed at Barcelona this morning. Pring minister Figueras, on receiving news of the proclamation, immediately left for that city. The announcement in this event has excited great excitement. This evening all is quiet.

TO-DAY'S DISPATCHES.

CONGRESSIONAL.

SENATE.

WASHINGTON.—The Senate committee on elections have been directed to examine and report at the next session, the method of electing the President and Vice President of the United States, together with a plan for the organization of a tribunal to determine all constitutional questions connected therewith. The committee have leave to sit during the recess of the Senate.

MORRILL, of Maine, offered a resolution that witnesses summoned to attend investigations by the Senate be paid four dollars a day while in attendance, and five cents a mile for the distance actually traveled; laid over.

THANDLER presented petitions against prohibitory liquor legislation. Fenton proposed to present other petitions, when Hamilton objected.

EASTERN.

NEW YORK, 10.—A small number of Germans, journeymen shoemakers, held a meeting yesterday for the purpose of increasing the organization to enable them to strike for higher wages. The speakers were sanguine that the movement would receive great impetus, and that a successful strike would be inaugurated.

By the Senatorial caucus at Washington the completion of the Indian committee, and five members were named to it: Allison, Sherman, and Ogden, in the places of Harlan and Corbett, retired, and Frelinghuysen transferred.

It is stated that the President has offered the Governorship of Utah to ex-Delegate Chaggett, of Montana. It is reported from Philadelphia that the carpet trade is very seriously affected. Manufacturers are unable to effect sales or procure materials, and the business is nearly paralyzed. A general weavers' strike is apprehended there, and perhaps other important industries. It is expected that the strike will take place at an early date.

The trial in Saratoga county, of Curly for alleged complicity in the Waterbury bank robbery on Saturday last, resulted in disagreement of jury.

PHILADELPHIA last evening a Cuban and enthusiastic meeting of Cubans was held, at which it was proposed to effect the liberation of the island of Cuba by force of arms.

CONCORD, N. H.—Six inches of snow fell here this morning.

CONCORD, Ont.—The boiler of the Canadian Pacific exploded on Saturday, killing three men and a boy, and seriously injuring two others. The names of the killed are Bailey, Leary, Woods and Jones.

WESTERN.

SAN FRANCISCO, 10.—The balloon landed safely last night in the mountains near New Almaden. They took an easterly course to Pleasanton and thence southwesterly over Mission San Jose and San Jose to the place of landing, about sixty-five miles from here.

PARIS, 10.—A dispatch from Bayonne says that the Carlists in the Spanish provinces of Guipuzcoa have cut the railway and burned several stations between San Sebastian and Irun, and travel between those towns is entirely suspended. Bands of insurgents are threatening Bayonne, and it is feared the towns will fall into their hands.

Foreign papers have notice of the death of the Baron de Lorenz, a veteran of the British army, and of Christian Dumais, a Frenchman, who at one time was to aid King Louis Philippe.

SPEECH.

Of Hon. Allen S. Thurman, of Ohio, on the Utah Bill, in the Senate, Feb. 26, 1878.

executed; I will not say that it will be perverted; but I do not like to give a power which can be perverted. I am afraid to clothe men with the power to pervert it; I am afraid to trust human nature in such a case, and therefore it is that I want that board of jurymen, so that they shall be composed of the Judge, the marshal, and the clerk, enlarged so that the people may have some word in the selection of the jurymen. Then I think we shall have a safeguard. The provision that the names of jurors shall be selected without regard to religious and social opinions is very well indeed; but to guard against a perversion of that law I want the board that selects them to be one that cannot possibly be perverted.

There is another thing that I want in this bill. I want a provision that in criminal cases of a very grave and serious character there may be a writ of error from the Supreme Court, and that the Mormon missionaries found that the Mormon Territory and its well-being if now and then a case can be taken to the Supreme Court of the United States and there can be an authoritative decision of the law.

Say what you will, Mr. President, I will say with extreme reluctance to religious and social opinions of the people of Utah a perfect confidence in their district judges. The suspicions of the people may be unreasonably, their distrust may be without reason; but that distrust on the part of at least one half, if not a majority of the people, will be inevitable, and it would be of the greatest importance to quiet the public mind and these doubts and to prevent those judges themselves from doing wrong and make them more careful, if there was a revisory power in serious criminal cases given to the Supreme Court of the United States.

These are the two points in this bill to which I am especially calling the attention of the Senate; first, as to the mode of selecting the jurors, and next as to the propriety of an appeal, or rather a writ of error, to the Supreme Court of the United States in the most grave and criminal cases. I have no objection to the mode of selecting a jury, but I have a motion which I now make, to the Committee on the Judiciary, with instructions to provide for the election by the legislature, or by the qualified electors of Utah—whichever may be the better mode of selecting a jury, and that the jury shall not be in conjunction with the judge, marshal and clerk, and with equal powers, in selecting all the persons from whom the jurors are to be constituted, and also to provide for writs of error from the Supreme Court of the United States to the Supreme Court of said Territory in all criminal cases in which the punishment is capital, or imprisonment for six months or upward, or a fine of \$1,000 or upward.

If that be adopted, Mr. President, you will have then your jurors selected by a board composed of six persons, three of whom will be the judge, the marshal, and the clerk, and three of them elected either by the General Assembly or by the people, as Com. on the Judiciary may see fit, or by the qualified electors of Utah; whichever may be the better mode of selecting a jury, and that the jury shall not be in conjunction with the judge, marshal and clerk, and with equal powers, in selecting all the persons from whom the jurors are to be constituted, and also to provide for writs of error from the Supreme Court of the United States to the Supreme Court of said Territory in all criminal cases in which the punishment is capital, or imprisonment for six months or upward, or a fine of \$1,000 or upward.

That being the condition of those persons, anything which tends to bring about a conflict between them and those entertaining different opinions will be avoided. No matter how right we may be in our opinions—and certainly no one believes in our opinions and in our social institutions more than I do, or is more aware of those of the Mormons—no matter how right we may be, we must not lose sight of the condition of the people, and of the ninety thousand Mormons in the Territory of Utah. You may say that they are wrong, but you believe that they are right. You say they are superstitious. You believe that it is religion. You may say that their institution is contrary to civilization. They believe that it is a civilization. You have taken a kind of legal crusade against the church, Brigham Young, brought into court on an indictment for murder, you have seen him threatened with indictment for bigamy, and you will not say what kind of courts we have here, for I am a little chary about making accusations against men, in which I have no plain and obvious foundation; but I will say that you are courts in which I have no confidence, or very little. You have seen how the courts have undertaken a kind of legal crusade against the church, Brigham Young, and that there have been no faults on the part of the church, but that there have been perhaps a great or greater on their side, but we see what shape this new crusade takes—not a crusade against the church, but a crusade of the courts against the church, and this bill is intended to give to those courts additional power to carry on legal proceedings against those people.

The most material part of this bill, practically considered, is that which relates to the selection of jurors. Jurors are now selected under a law of the territorial Assembly. This bill proposes to take their selection wholly away from their territorial authority and to vest it in three persons, the United States judge, marshal, and clerk; and it provides that they shall select two hundred names, and put those names in a box, and the names of the jurors grand and petit, shall be drawn.

Now, sir, on the face that is a very fair provision. In New Jersey or Ohio that would operate very fairly and very well. I do not think it is at all equal to the system in some of the States for the selection of jurors. I do not think it is at all equal to the system in New Jersey or Ohio, which is the best that I know anywhere, and which secures for jurymen the very best men in the State. But by this bill a Territory is constituted, or so far even as one of the old States is concerned, this law, if fairly and honestly administered, will be a good law, but there is where the trouble comes in. I will not say that it would not be honestly

executed; I will not say that it will be perverted; but I do not like to give a power which can be perverted. I am afraid to clothe men with the power to pervert it; I am afraid to trust human nature in such a case, and therefore it is that I want that board of jurymen, so that they shall be composed of the Judge, the marshal, and the clerk, enlarged so that the people may have some word in the selection of the jurymen. Then I think we shall have a safeguard. The provision that the names of jurors shall be selected without regard to religious and social opinions is very well indeed; but to guard against a perversion of that law I want the board that selects them to be one that cannot possibly be perverted.

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