

# THE EVENING NEWS.

UNIFORM DAILY, SUNDAY EXCEPTED  
AT FOUR CENTS.

DAVID O. CALDER,  
EDITOR AND PUBLISHER.

## NEWS OF THE DAY.

The distress among the New York City is attracting attention and arousing sympathy among their more favored fellow creatures of the wealthier classes, the members of the Stock Exchange have commenced a subscription on their behalf, and the proprietor of the New York Herald, Mr. James Gordon Bennett, has given the magnificent sum of thirty thousand dollars to assist them.

A fire at Marietta, O., on Tuesday night, destroyed property worth \$15,000, and threw between two and three hundred people out of employment.

The Secretary of the United States Treasury says it will take the several mints of the U. S. four years to coin silver enough to supply the place of the fractional currency now in circulation.

President Grant has signed the bill authorizing the removal of the Flathead and other Indians from Bitter Root Valley, Montana.

A bill, now under consideration by the military committee of the House of Representatives, at Washington, D. C., contemplates the reduction of the U. S. army by five regiments of infantry, two of cavalry and one of artillery; if passed it will also make several changes in the methods of appointing various officers, etc.

A crusade against the whisky seller is contemplated in New York City, under the auspices of the leading temperance societies; in New Jersey the same subject is also under consideration. Judging by recent accounts from Ohio the success of the Anti-Whisky Brigade in that State has been so great that the disciples of the great apostle of temperance, Father Mathew, should feel encouraged to inaugurate similar movements all over the country, for there is scarcely a nook or corner of this broad land that is not more or less marred by the effects of intemperance, and any movement that would tend to materially decrease it would be a benefit of incalculable worth to the mothers and children of the United States.

A big fire occurred in the Chinese quarter of San Francisco yesterday afternoon, in which it was reported that several "celestials" were burned to death.

Despatches from Laramie to the West report further raiding and outrages by Indians, and a general uprising among the several tribes of the Plains is now believed to be imminent.

Destruction and damage by tempest and flood are reported from Great Britain and Schleswig-Holstein. In the former rough weather was experienced on most of the coast yesterday, and damage was done to shipping in Ireland; in Schleswig-Holstein large tracts of country have been submerged, an immense amount of property destroyed, and great loss of life is feared, all caused by the recent severe gale in the Baltic.

In today's News appears the first installment of an opinion by Hon. Z. Snow, Territorial Attorney General, furnished the Legislature by request, on the jurisdiction of Probate Courts, and other points in relation to the courts, at issue between federal officials and the Legislature.

The evidence thus far taken in the bribery investigation at Sacramento, it is said, utterly fails to prove that any promise of a reward, to further his infamous and material contest, was made by Governor Booth, or any of his friends.

In Congress, to day a bill was passed, authorizing the sale by auction of the Fort Reynolds Military Reservation, Colorado Territory.

## THE LEGISLATURE.

The Legislative Assembly is to be commended for its industry and for continuing diligently to work to effect all needed legislation during its session. The Legislature passes bills, and the Governor vetoes them; which may appear at first sight somewhat discouraging, but it is not necessarily so. If the Governor and other Federal officers are determined to enact the part of obstructionists, and create a dead lock legislative, judicial, and executive, or other, let these gentlemen do so, and then they can involve as well as be entitled to the whole honor of bringing about such a stagnant and unhealthy condition. Certainly the Legislature has no desire to divide the honor with them.

We presume that the Legislature as a body, and the members thereof individually, will do their duty to their constituents, and pass laws as they may consider, in their assembled wisdom, that the condition and welfare of the Territory demand, measurably, regardless of the action of his Excellency the Governor, whether he approves or disapproves, but doing their duty conscientiously and faithfully, and that if the Territory is not pleased with good and sufficient laws, the onus may rest altogether and exclusively with his Excellency.

## EXTENSIVE MILD.

In a great part of this Territory, the present winter has been an unusually mild season. There have been a few hard frosts in this vicinity, but we do not recollect one. We had a snow storm yesterday,

but it was gentle, not heavy, and the snow deposit is fast disappearing to day under the genial rays of the kind of day.

In some of the Eastern States, we see by the papers, a similar mildness of temperature has been prevalent, inasmuch that there is illustrative talk that the climate of Florida has been imported in the North.

It appears also that in England the winter has not been severe. "December," says the *Journal of Horticulture*, in Yorkshire and a flake of snow had been seen, a thing probably unprecedented for

teen days in succession. In November and sixteen in succession in December were rainless, a very unusual circumstance in that country.

It is very probable, if the winter with as has been unusually mild, especially in the middle, that it will be a tough, frosty, and an interesting yet, as has been the case in some other seasons.

## JURISDICTION OF PROBATE COURTS, ETC.

Opinion of Hon. Z. Snow, Territorial Attorney General.

ATTORNEY GENERAL'S OFFICE, SALT LAKE CITY, February 26, 1874.

Honorable Members of the House of Representatives.

Sir: Your communication of the 4th inst. has been duly received. You have requested me to furnish you with the following information: "I move that the Hon. Judge Snow, Attorney General for this Territory, be requested to furnish the House with his written opinion on the jurisdiction of the Probate Courts of this Territory, and such other matters of legal jurisdiction and alleged encroachment of the Territorial Government, in his special message to the Legislature, against the Legislative Body, encouraged by them and practiced by the various officers of the Territory."

By this motion it is at once perceived that, to understand what is desired, the message must be examined.

His Excellency the Governor, in his message, uses the following language: "In view of the fact that, by the Organic Act, and by my official oath, to see that the laws shall be faithfully executed, have been constantly confronted with open violations of the laws of Congress, without the ability to enforce obedience thereto because of defective and antiquated legislation, and have, as duty required, represented the facts to Federal authorities and to the Legislative Assembly of the Territory, and in consequence thereof, join you in condemning my own official acts, by pronouncing them 'absolutely untrue,' and made 'with malicious intent, a sad commentary upon the judgment and good taste of those who ask it. That I cannot do so is certain."

"That the law exists, and is 'insubordinate and other violations of the Constitution and laws of the United States,' in this Territory, is true or false, let the facts be said. It is well known that the final object of the government is the protection of the citizen in his rights."

"That the law of this Territory, as they now stand, are inadequate to accomplish that end, cannot be denied."

"Again, in the 7th section of the Act organizing the Territory, Congress gave to the Governor the power to appoint and remove, at pleasure, all officers of the Probate Courts, and other points in relation to the courts, at issue between federal officials and the Legislature."

The evidence thus far taken in the bribery investigation at Sacramento, it is said, utterly fails to prove that any promise of a reward, to further his infamous and material contest, was made by Governor Booth, or any of his friends."

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We presume that the Legislature as a body, and the members thereof individually, will do their duty to their constituents, and pass laws as they may consider, in their assembled wisdom, that the condition and welfare of the Territory demand, measurably, regardless of the action of his Excellency the Governor, whether he approves or disapproves, but doing their duty conscientiously and faithfully, and that if the Territory is not pleased with good and sufficient laws, the onus may rest altogether and exclusively with his Excellency.

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