

NEWS OF THE DAY.

The currency question and army appropriation were the subjects under discussion yesterday in the Senate of the United States.

A large German anti-temperance meeting was held in Cincinnati on Tuesday evening. It was addressed, among others, by several clergymen. Resolutions were adopted against the operations of the praying bands of women, on the ground that they interfered with legitimate business.

The Senate of the Massachusetts Legislature has passed a bill restricting the time of labor, for women and children in factories, to ten hours per day.

In a fight with railroad robbers, a few days ago, in Missouri, two detectives were killed.

The French Communists of New York City, yesterday, celebrated the third anniversary of the uprising of the Paris Commune.

A committee of the temperance ladies of Chicago waited upon and requested the mayor of the city to veto the ordinance repealing the Sunday saloon-closing law; that functionary, however, refused and made an acknowledgment which cannot be regarded as creditable to himself or his adherents, namely, that he had pledged himself to favor the repeal of the ordinance closing the saloons on Sunday, and that he was elected on that issue.

Night before last, at Nashville, Tenn., a fire broke out in the warehouse of the Tennessee Cigar Manufacturing Company, and before it was extinguished it destroyed property worth \$100,000.

Auriferous passed over and did considerable damage in Cairo, Ill., yesterday morning.

The temperance ladies of Buffalo made a request upon the excise commissioners to revoke the licenses of the saloon keepers, but those gentlemen declined, stating that such a proceeding would only aggravate the evils the ladies were seeking to abolish.

The Queen of Great Britain has expressed her thanks to and admiration of the troops engaged in the Ashantee war, for their gallantry in the campaign.

The latest advices from South America say that war is very likely between the Argentine republic and Chili.

The distinguished German astronomer Johann Heinrich Master, is dead, aged 79.

News from China says that finances are depressed and unsatisfactory; and that the trouble between China and Peru, relative to the opium trade, is to be referred to Russia for arbitration.

The British Parliament re-assembled to-day; there was a speech from the throne.

The Governor General of India has been instructed by the home government to spare no expense in mitigating the sufferings of the people of Bengal by famine.

For details of the insurrection in Japan, see summary of Japanese news in to-day's telegraphic columns.

At Modoc City, Pa., yesterday, an oil tank was struck by lightning and burst, causing a fire, which destroyed thirty-two thousand dollars' worth of property. A fire, this morning, at Beaver, in the same State, did damage to the amount of \$25,000.

JUDICIAL AFFAIRS IN UTAH.

In the House of Representatives, March 11, the Congressional Record says, the Speaker, by unanimous consent, laid before the House a communication from the Attorney-General, in answer to a resolution of the House of the 2nd inst., in relation to judicial affairs in the Territory of Utah, which was referred to the Committee on the Judiciary, and ordered to be printed. It will be recollected that the resolution above referred to was the following, presented by Mr. Merriam—

"Resolved, That the Attorney-General of the United States be, and he is hereby, instructed to communicate to this House any information in his possession relating to judicial affairs in the Territory of Utah; and also to furnish to this House a copy of a communication from Judge James B. McKean, bearing date Nov. 12, 1873, relating to this subject, and addressed to the Attorney-General of the United States."

The House may now be edited by McKean's version of the situation here, and probably by his suggestions concerning what ought to be, and what Congress ought to do, in order to bring about what ought to be. McKean entertains some very peculiar ideas pertaining to judicial matters, for a United States Judge, or for a Judge in any republican country. He may have given expression to some of his peculiar ideas in this communication to the Attorney-General.

THE TIBBORN SENTENCE.

It was a great relief when the Tibbourn trial ended on the 28th of February. For months the British newspapers had been published with their wearisome details, and with many of the less educated classes it had been their chief, if not almost sole mental pabulum during the time it had slowly

dragged its outrageous length along. The circulation of some of the penny papers had increased 40,000 copies from the beginning of the trial, such a hold had the affair taken upon the popular mind. Says an exchange—

"One literary authority has made the interesting calculation that people have wasted in reading the reports of this trial time enough for them to have acquired a couple of languages and the best classic works of English literature. To the average intellectual reader the daily reports have been like recurring nightmares, yet too curiously and interestingly tempting to withstand perusal."

The following is given as the conclusion of Chief Justice Cockburn's (pronounced Coburn) speech on summing up the evidence and charging the jury—

"The history of this case may be written hereafter, and for aught I know, by a pen steeped in gall and venom, that may not scruple to lampoon the living or to revile and calumniate the dead. I have no fears. The facts will speak for themselves. I have administered justice here for many years. I cannot hope that my memory, like that of the great and illustrious man who have gone before me, will live in the after ages, but I do hope it will live in the remembrance of my countrymen. I venture to say, the affectionate remembrance of the generation before whom I stand, and with whom I have administered justice here."

Justices Mellor and Lush expressed their approval of the charge of the Lord Chief Justice.

The jury retired at twelve minutes past twelve, and returned at thirty minutes past two, when, the following scene occurred, according to the New York Herald—

"Gentlemen, said Master Cockburn, 'are you agreed upon your verdict?'"

"The foreman of the jury replied distinctly, 'Yes, we are.'"

"The Lord Chief Justice then said, 'Are you agreed upon all the issues? Are you agreed that he is or is not Roger Tibbourn?'"

"The foreman answered, 'We are.'"

"The Lord Chief Justice—'That he is or is not Roger Tibbourn?'"

"The foreman—'We are.'"

"The Lord Chief Justice—'Are you agreed on the issue of the assignments for perjury with reference to the witness, Roger Tibbourn?'"

"The foreman—'We are.'"

"The Lord Chief Justice—'That he is or is not Roger Tibbourn?'"

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over, this is a matter of little consequence.

I see, by my letter of the 16th inst., that I have been referred to the Statute at Large without stating the volume and page. It was 11 vol. p. 226; and in another part of the letter, after speaking concerning an act of Congress approved August 16, 1855, I was referred to the Statute at Large, Vol. 11, p. 49. "This, whatever may be the true construction, produced in this Territory a change of practice, and since then, without any repeal of the Utah laws, or the organic law requiring the Courts to sit in the counties, the sessions have been held in only one of the judicial districts." It would have been better for me to have said "without any repeal in express form," as it is no unreasonable construction to hold that the Act of Congress above referred to implicitly repealed the organic law in that particular. But our Legislature continued to assign the Judges to their judicial districts till 1868, when Congress passed an Act, approved July 27th, 1868, authorizing the Governor to assign the district Judges of this Territory to their respective districts, and appoint the time and place of holding court in each of said districts, not exceeding two terms in each district in any one year. Sec. 15th Statute at Large, p. 242.

This was passed under the following circumstances: There was a new set of Judges to be appointed that year, which was not done till after the date of the bill, and so that, unless the Governor assigned the Judges there was no authority for so doing till the winter following.

With these remarks, I return to my correspondence with the honorable Elisha Whittlesey, my next letter to whom was as follows:

GREAT SALT LAKE CITY,  
Utah, July 10th, 1862.

To the Hon. Elisha Whittlesey,  
Comptroller, &c.

Dear Sir—Your letter to me bearing date April 9th, in answer to mine of the 22d of February, has come to hand.

You call my attention to the acts of Congress of 1799 and 1842, both of which relate to the costs of the courts sitting in the circuits and districts in the several States. These acts of Congress, before my letter, I had referred to and examined; I, however, had taken a different view of the law in some respects from what you have stated. I therefore write again and call your attention to a chain of acts relating to costs in the Territorial courts, from 1811 to 1862, of the Organic Act of the Territory of Utah, and the acts of Congress of 1850 and 1854, which relate to the costs of the courts here as to receive the same fees as the clerks of courts in foreign Territories.

By the 9th and 10th sections of the act creating the Territory of Oregon the clerks of the courts, the district attorney and marshal are to have such fees, &c., as the like officers in the late Territory of Wisconsin.

By the 9th and 10th sections of the act creating the Territory of Wisconsin the clerks and marshals were to receive the same fees, &c., as the like officers in the northern district of New York; and the district attorney and marshal are to have such fees, &c., as the like officers in the late Territory of Michigan.

This act was approved April 20, 1836.

Now, to determine the fee of the marshal and clerk, would not the fee bill in the northern district of the State of New York, as it existed April 20, 1836, be the rule of taxing costs for these officers in Utah?

What were those fees? I have no means of knowing or learning without the aid of the department. And would not the fee bill in the northern district of Michigan in 1836, be the rule for settling his fees? If so, what were those fees?

In my letter to you, I was an answer, you will observe that I asked what the practice of the United States was in relation to the costs of the courts.

Though I do not know of any law different from what you suggested, and what I have now suggested, yet I can see many reasons why the costs of the Territorial courts should be paid by Congress.

I look upon this city as an important point in the territory of California and Oregon, and it would seem others think so too; certain it is, that three-fourths of all the litigation in our courts arises out of difficulties of one kind or another, and out of difficulties arising between emigrants themselves, and between emigrants and the Territory.

It is my duty, therefore, to settle these matters and defray all their expenses, it will, in my opinion, operate very sensibly. I can see why the United States should not furnish courts for settling the difficulties arising out of the emigration, and which, certainly, there is no moral obligation resting on this people to furnish the means, at their own expense, of settling such difficulties.

I do not urge this upon you for any other purpose than to solicit your consideration and co-operation in an attempt to seek a remedy at the hands of Congress.

I shall write to the Hon. John M. Bernhisel on this subject, and request him to see you. I shall send him a copy of my letter, and of yours to me in reply to the first, and then leave the matter for him to manage.

With sentiments of esteem, I subscribe myself,

Your most obedient servant,  
Z. SNOW.

To the above I received the following reply:

TREASURY DEPARTMENT,  
Comptroller's Office,  
Washington, D. C., December 3d, 1862.

Sir—Your letter of July 10th has been received in reply to mine to you of the 20th of April. In my letter of the 20th of April, I gave you a full exposition of the laws of the United States in relation to the judicial expenses of the Territories, pointing out the distinction between the costs of the courts of the United States and the costs of the courts of the Territories.

The laws of the United States concerning the costs of the courts of the Territories are very explicit, and they are to be paid by the Territories.

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The marshal and district attorney of the United States, in their capacity of United States officers, can act by the laws relating to the Constitution and laws of the United States, and if they do act in cases arising under the Territorial laws, they must do so by virtue of the Territorial laws, and must look to the Territory for the proper compensation for their services.

All the references in the Organic Act, to the Organic Act of Oregon, practice, and since then, without any repeal of the Utah laws, or the organic law requiring the Courts to sit in the counties, the sessions have been held in only one of the judicial districts." It would have been better for me to have said "without any repeal in express form," as it is no unreasonable construction to hold that the Act of Congress above referred to implicitly repealed the organic law in that particular. But our Legislature continued to assign the Judges to their judicial districts till 1868, when Congress passed an Act, approved July 27th, 1868, authorizing the Governor to assign the district Judges of this Territory to their respective districts, and appoint the time and place of holding court in each of said districts, not exceeding two terms in each district in any one year. Sec. 15th Statute at Large, p. 242.

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over a hundred years ago. However, there is one consolation, that liberty and freedom will continue to progress in spite of him or the wing—*Reverend Enterprise.*

ARRIVALS.

TATTON'S HOTEL.—March 19.  
Gibson Clark, Sandy; Mrs B F Butler, Mrs M Brod, Ophir City; B L Butler, West Jordan; T A Bailey, Sheridan Hill Works; E W Cummings, Sandy Station; C M Ryan, S W Hosby, John R Gray, Alta City.

DIED.

At St. Charles, Oneida Co., Idaho, March 16, JOHN W. son of William L. and Sarah A. Alfred, aged 9 months.

NEW ADVERTISEMENTS.

SALT LAKE THEATRE!

Salt Lake Theatre Corporation, Proprietors.  
Gibson Clark, Sandy; Mrs B F Butler, Mrs M Brod, Ophir City; B L Butler, West Jordan; T A Bailey, Sheridan Hill Works; E W Cummings, Sandy Station; C M Ryan, S W Hosby, John R Gray, Alta City.

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DURVEAS' SATIN GLOSS STARCH!

Try it. Gives a Beautiful White and Glossy Finish, besides renders Fabrics very Durable. No other Starch so easily used, or so Economical.

DURVEAS' IMPROVED CORN STARCH.

Manufactured by a greatly improved process, from the Best Selected Indian Corn, and warranted perfectly pure.

General Depot—29, 31 and 33 Park Place, N. Y.

BAIN WAGONS.

These are the best known wagons need but little said in their favor. The extensive sales now being made attest their merits and they are the favorite wagons in Utah. They are thoroughly warranted for One Year. ALL SIZES KEPT IN LARGE STOCK.

Z. C. M. I., East Branch.

SELL the BAIN WAGON at PROVO, At Salt Lake Prices.

WALTER A. WOOD MOWING and REAPING MACHINES.