

"By Jove!" exclaimed Phil, "Rosie, look here. You know I told you that I was always getting anonymous presents after that foolish affair was broken off—you know what affair, don't you, dear?"

Phil here twisted his moustache, after the fashion of embarrassed Englishmen in general who possess such an appendage.

"I know all about it. You were a very naughty boy to think of selling yourself for gold. I only wonder you did not go behind the counter to qualify yourself for a junior partner—Richley, Alpaca, Kerr & Co! How very distinguished it would have sounded."

Rosie met her justly-merited punishment for this bit of sarcasm, and a reconciliation having been established, which included sundry pulls of Phil's chestnut locks, that much tried individual continued:

"Well, then, Rosebud, after that sad accident, I had a letter from old Mrs. Richley, asking me to stay there when I returned to England. I came off so hurriedly that I never answered; and then you see I started for Florence."

"I know all about that," replied Rosie, nodding her head *a la* Bursleigh.

"Now, you see, pet," Phil went on, "the paragraph in the *Times* and *Morning Post* cannot be published in England till to-day; but it is more than a fortnight since I wrote to my agent, giving him my address here, and he has forwarded the letter. Read it, Rosie, will you?"

Rosie took the letter. The perfume of patchouli clung about it yet, and the monogram was gorgeous in green and mauve and gold. An irresistible smile broke over her bright, young face as she read it:

"MY DEAR PHILIP—or rather, I suppose I must forget the past and call you Lord Kerr—I do indeed congratulate you on your new honors, and they could fall to no one more worthily. Your extended views of life, your liberal ideas on every point, render you peculiarly fitted to hold a high place in this age of progress."

"My father too has met with unexpected success since we parted, and nearly doubled his fortune. But what is wealth to me? It is intellect I look for, and that I found in you."

"After you left, I refused Sir M'Gregor M'Gregor. He had persevered for some months, but in vain. Could I bury myself in that Highland castle, with his dreadful sisters (three confirmed spinners), and his dogs and horses? No. Though he offered magnificent settlements, what were they to me? Nothing to what my father could have given me, less than nothing compared with one memory of the past! You know me. I could not live without intellectual society—intellectual and devoid of bigotry; a society in which you would shine. It was my parents that parted us; I yielded to their will. Forgive me, and at least let us be friends, even if we are never to be more than friends to each other. Write to me that you are well and happy. Ah, would that your happiness still depended upon me! It would be the hourly study of your devoted

"THEODOSIA."

Rosie fairly laughed aloud.

"Poor old thing!" she said; "what a queer jumble of strongmindedness and sentimentality! But, Phil, you never loved her."

"Never, darling, never; and I should have given the same answer—'Much obliged, but otherwise disposed of'—even if this precious epistle had not come too late. She would have bought me with gold; little sorceress, you have bought me with smiles and blushes and priceless love. Heaven be praised for that Scotch baronet, for I really believe he came to the rescue just in time; and thanks to him, I have lost an heiress and won a Rosebud."—*Tinsley's Magazine*.

**YOUTHFUL TRAVELERS.**—The Utah Central special train which left Ogden at 7.15 last Sunday morning for Salt Lake had among its passengers four children, who had traveled alone all the way from Australia! In conversation with them we elicited the following particulars: Their names are Emma, Eveline, Josephine and Charles Carn, (properly Garn,) aged 12, 8, 7, and 5 years. Their father was the son of Daniel Carn, a well known and respected citizen of Salt Lake. Young Carn left his friends to go gold-hunting some twenty years ago, settled and married in Australia. His wife lost her reason and had to be confined in a lunatic asylum. He died about 11 months ago, leaving his four children to the mercy of strangers. Their grandfather, hearing of their condition, sent means to have them forwarded to Salt Lake in charge

of some competent person. The business was conducted by Mr. Wm. Clayton, Notary Public, S. L. City. For some unexplained reason, they were sent from Dunedin to Port Chalmers without a guardian, and were shipped on the "Nebraska," making the passage to San Francisco in about six weeks, having laid up eight days in Honolulu. A gentleman named Carr, at Frisco, with whom Mr. Clayton had corresponded, put them on the cars for Ogden. Here they expected to find their grandfather, but he died and was buried a week before their arrival. They reached Mr. Clayton at Salt Lake in safety, and were soon placed with Mr. Carn's family, and are now happy and contented. It is something out of the ordinary affairs of life for four little things like these to travel so far in safety without a human protector, and the hand of Providence is visible in their behalf.—*Ogden Junction, May 1st.*

**CAN'T PREVENT IT.**—It will be recollected that "the Judge with a mission," in one well known case, was very solemnly particular and impressive in announcing that he had carefully "fixed" the sentence of fine and imprisonment combinedly for the especial purpose of preventing the "Mormons" from saying that the Lord had delivered them out of their troubles, because, according to his honor's peculiar theology, the Lord did not interpose to save criminals, at least such criminals as they were, notwithstanding the fact that Jesus came into the world expressly to save sinners. Now the New York *Tribune* mourns over the fact that after all nothing can prevent the "Mormons" from seeing and recognizing the hand of the Lord in some recent events judicial, as will be seen by the following—

"One of the worst effects of the Mormon muddle will be the conviction that the Lord has Brigham Young and the other saints in His special keeping. Young has all along foretold that he would be wonderfully delivered from the snare, and now it will be taken for granted that his prophecy has been miraculously fulfilled. It must be remembered that these Mormons who really believe in Mormonism are among the weakest of the weak; and how are we to prevent them from seeing the Lord's hand in Young's escape from richly merited punishment? The only consolation is that most of the Mormon leaders are well advanced in years, and cannot live much longer without a real miracle in their behalf."

It is bad, very bad policy to measure arms with the Almighty, he has so many unexpected ways of exposing the folly of such a policy. Of course it is very consoling to think that when a man's body is in the grave the Lord will not interpose in his behalf, a thought, nevertheless, likely to be proved vain in the resurrection, if not before.

#### A HYBRID TRIBUNAL.

The brief history of the Mormon troubles now just brought to an end by a decision of Chief Justice Chase appears to be pretty much as follows. A year or so ago Dr. J. P. Newman, a Methodist clergyman of Washington City, went out to Utah, on the profitable errand of having a grand discussion of polygamy and its Biblical warranty, he to be on one side with his more or less profound erudition, and such eminent Hebrewists as Pratt and Orson Hyde on the other. Whatever else this valuable conference accomplished, it determined Dr. Newman to encourage a crusade against the Mormons, and to this end he instigated the President to authorize their prosecution and to pursue them by all means available, and, as now appears from the Chief Justice's decision, by means as illegal and regardless of law as any that could be well thought of. The principal instrument of this prosecution was Judge McKean, an enthusiastic Methodist, who went out to Utah not to do his work as a judge, but to root wickedness out of the land and crusade against polygamy. He is ignorant of law, somewhat feather-headed, and as much out of place in a court of justice where he sat on the bench delivering stump speeches as any man well could be anywhere in the world. Judge McKean perceived that he could do nothing unless he could erect his Territorial court into a United States court, and this he proceeded to do. Why he did not declare himself to be the Federal Executive and Legislature, and proceed to levy troops and make war upon the Territorial government, is to be explained by prudential reasons, we suppose; as for color of law, he had as good a right to do that as he had to do what he did. The law, as again and again enounced by the Supreme Court, is that such courts as his are not United States courts, except for certain specific purposes, and that they never can be United States courts for the enforcement of a Territorial statute, which is in no sense a law of Congress, and which a Territorial court must enforce. It must enforce it, too, by means of its

own Territorial officers. What McKean did was to make his court a United States court when it was not; to enforce in it Territorial statutes which, had his court really been a United States court, would have had no place in it; to mix with these laws of Congress; and for executing the processes of this hybrid tribunal, to use not constables and sheriffs of the Territory, but United States marshals, and this because by their assistance grand and petty jurors pledged to indictment and conviction could be secured.

All this was done not in a corner, but against the reiterated appeals of the United States District Attorney, who insisted upon the foolish and lawless violence of the whole proceeding. It was done, nevertheless, till now the Chief Justice brings McKean up with a very round turn, declaring that for a twelvemonth past the Territorial court has been committing monstrous judicial usurpations and trampling on law. This decision will at once release 138 persons from illegal arrest or imprisonment. The position was a delicate one for the Administration. It was indeed between the devil and the deep sea. On the one hand, it had to adopt and sanction the grossest illegality; on the other, it had to offend—or fancied it had to offend—the Methodist denomination, which it appears to have paid the compliment of presuming to be less regardful of the authority of the law than most of the Methodists' fellow-citizens suppose them. The Chief Justice has relieved it from the embarrassment, for Dr. Newman himself will not now ask the President to go on further in Judge McKean's direction.—*New York Nation, April 18.*

#### WIPE OUT.

On behalf of the unanimous bench, Chief Justice Chase delivering the opinion, the Supreme Court to-day, in the celebrated case of *Clinton et al. vs. Engelbrecht*, on appeal from Utah, decided that the jury drawn by the United States Marshal, under the laws of the United States, and not by the Territorial Marshal under the local law, was illegal, and its verdict void. The Court, in pursuing this question, went even further than the necessities of the present case required, and also decided that all Territories, since the first organization of Territories, have had powers over local matters as States; and that all juries, grand as well as petit, drawn in Utah in violation of Territorial laws, were illegal; that in this instance the Territorial statute authorizing the manner of drawing a jury had been in existence for years, and that Congress, not having annulled, had recognized it; that the duties of the United States Marshal and District Attorney were precisely the same in Utah as in the several States. Upon these grounds the entire decision of Judge McKean and his Court for the last twelve months were reversed. It is stated that, as a corollary from this decision, all the defendants now in custody in Utah under indictment by these illegal Grand Juries, are entitled to instant discharge, and all civil cases pending in said Courts, where exceptions have been duly taken and entered on record, are wiped out. As the criminal proceedings, which were pending and have been terminated, have cost about \$30,000, the question is now raised as to whether Congress will appropriate that sum to meet them, or whether the United States Marshal, who has attempted to execute the mandates of the Court, shall be mulcted. The decision creates no surprise at the Department of Justice, where it was long since anticipated, and where its correctness is not questioned.—*Chicago Tribune.*

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#### NOTICE.

TO WHOM IT MAY CONCERN. That cash entry for the Townsite of Minersville, Beaver Co. Utah Territory, made April 6, 1872, embracing the following described lands, to wit: E 1/4 of N W 1/4 and N E 1/4 of S W 1/4 of Section No. 12, Township No. 30 South Range No. 30 West, containing 120 acres, has been made in trust for the inhabitants thereof, and is now ready to be disposed of in lots to any person or persons entitled thereto.

All persons claiming to be owners or possessors of any portion of said entry, will take due notice and make the application as provided in the statutes of Utah. J. R. MURDOCK, w13 m Probate Judge.

#### NOTICE!

TO WHOM IT MAY CONCERN. That cash entry No. 2527, for the Townsite of Washington, Washington County, Utah Territory, made February 10, 1872, embracing the West 1/2 of Sec. 14 the N W 1/4 of the N E 1/4 of Sec. 14, and the S W 1/4 of the S E 1/4 of Sec. 11, Township 42 South of Range 15 West, containing 40 acres, has been made in trust for the inhabitants thereof and is now ready to be disposed of in lots to any person or persons entitled thereto. All persons claiming to be owners or possessors of any portion of said entry will take due notice and make the application as provided in the statutes of Utah.

Salt Lake City, Feb. 10, 1873. w23 m WM. SNOW, Probate Judge.

#### NOTICE!

TO WHOM IT MAY CONCERN. That cash entry No. 2528 for the Townsite of Harrisburg, Washington County, Utah Territory, made February 10, 1872, embracing the S W 1/4 of the N E 1/4 and S E 1/4 of the N W 1/4 and the N E 1/4 of the S W 1/4 of Sec. 23, Township 41, South of Range 14 West, containing 120 acres, has been made in trust for the inhabitants thereof and is now ready to be disposed of in lots to any person or persons entitled thereto. All persons claiming to be owners or possessors of any portion of said entry will take due notice and make the application as provided in the statutes of Utah.

Salt Lake City, Feb. 10, 1873. w32 m WM. SNOW, Probate Judge.

#### NOTICE

IS HEREBY GIVEN that I Daniel H. Wells, Mayor of Salt Lake City, U. T., did on the 21st day of November, 1871, enter in the Land Office at Salt Lake City, U. T., for the several use and benefit of the owners and inhabitants thereof the following described land, namely: Lots 1 and 2 and S 1/4 of Sec. 30, all of Sec. 31, S 1/4 of Sec. 32, T. 1 N. R. 1 E, also E 1/4 of Sec. 25, the E 1/4 of N E 1/4 S E 1/4, and Lots 3 and 4 in Sec. 33, also Sec. 36, T. 1 N. R. W, also Lots 1, 2, 3, 4, in Sec. 4, all of Sec. 5, all of Sec. 6, N 1/2 of Sec. 7, N 1/2 of N E 1/4, and N W 1/4 of Sec. 8 and Lot 5 in Sec. 9, T. 1 S. R. 1 E, also all of Sec. 1 Lots 1 and 2 and the S E of N E 1/4 and E 1/2 of S E 1/4 of Sec. 2, the N E of N E of Sec. 11 and N 1/2 of Sec. 12, T. 1 S. R. 1 W, containing in all 5,730 acres and 45 undredths.

Any person or persons having claims in the above survey of land will file the same with the Clerk of the County Court of Salt Lake County before the 21st day of May, 1872, as prescribed by law.

DANIEL H. WELLS, Mayor. Salt Lake City, Nov. 24, 1871.

#### NOTICE.

TO WHOM IT MAY CONCERN. That cash entry for the Townsite of Adamsville, Beaver Co. Utah Territory made February 24, 1872 embracing the following described lands, to wit: N 1/2 of S E 1/4 and S 1/2 of N E 1/4 of Section 30, Township 29, Range 8 West, containing 16 acres, has been made in trust for the inhabitants thereof, and is now ready to be disposed of in lots to any person or persons entitled thereto.

All persons claiming to be owners or possessors of any portion of said entry, will take due notice and make the application as provided in the statutes of Utah. J. R. MURDOCK, w53 m Probate Judge.

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