

for liberty, or even for property, if the case be one which in the remotest degree will affect his powerful and apparently inflexible prejudices.

If the Judge has come to a sense of the inconsistent, unreasonable, and unwise nature of his judicial course in this Territory, if he sees the folly of indulging in unmanly prejudices upon the bench, to the detriment and obstruction of the march of justice, if he has the courage and strength of mind to renounce his unjust actions past, and act with impartial wisdom in the future, he could not have a better time than the present. Never again is he likely to meet with another such a magnificent opportunity of rising superior to all religious and political prejudices, of honoring and exalting the ermine, and of demonstrating that he is the minister and the friend and the champion of wholesome law and of even-handed justice. If he embrace the golden opportunity, and do his just duty, neither more nor less, he will do himself unfading honor; if, on the contrary, from whatever motive, he allow, as hitherto, his strongly characterized prejudices to sway and color his judicial actions, he will condemn himself by his own irreversible deeds to everlasting shame and contempt, and public opinion will not be long in confirming his own ignominious sentence upon himself.

TO-DAY the Twentieth Session of our Territorial Legislature convened, as per adjournment, in the City Hall. The people of Utah have been singularly fortunate in their selection of representative men. From the first organization of the Legislature until now legislators, not politicians, have composed the Assembly, gentlemen who have "served the country for the country's good" and not for private gain or personal ambition. They have received the suffrages of their constituents without any solicitation on their part. Indeed the service they have rendered the Territory has been attended frequently with much personal inconvenience and disarrangement of business affairs, for which their *per diem* is but a very small compensation. The policy pursued in this Territory has not been favorable to office-seekers and aspirants to political influence. All salaries and fees within the control of the Legislature have been placed at a very low figure, and the people have been trained to regard the professional politician with distrust and the anxious bidder for place with aversion. The consequence is that official positions—municipal, county and Territorial, have been filled by men whom the people wanted, and who have worked solely in the people's interests. This is why economy and efficiency have been distinctive characteristics of the administration of our affairs. This is why our cities and counties and the whole Territory are free from debt, while the country has been developed and steady improvement has clearly marked each successive year in our history. The deliberations of our Assembly have been justly admired for their dignity and earnestness, and the entire absence of those personal animosities and belligerent attacks so common in legislative bodies elsewhere. Our Councillors and Representatives meet for business, the people's business; they transact it and adjourn; they have no private axes to grind on the stone of State, so they have no struggles to grasp the handle nor to elbow themselves to the front. During the score of years that our Legislature has been in existence it has saved to the country one year's appropriation, while all the other Territories have found themselves in need of far more funds than the regular paternal allowance. The laws they have passed have been framed to meet existing requirements, and while conservative of public and private rights have been liberal in spirit and progressive in tendency. We are proud of our Legislature. Though many of its members may not be profound and experienced statesmen, they are all able, earnest and public-spirited men, and have this characteristic—a shining contrast in this age of bribery and greed—they are incorruptible! We welcome the members of the Twentieth Assembly to our city, and wish them a pleasant and profitable session, and invoke upon them the spirit of wisdom and judgment, that all they do may be in the interest of righteousness, peace, good order, and the prosperity of the Territory.

LAST evening a number of gentlemen representing the principal mercantile houses of San Francisco arrived by U. C. train. The object of their visit is to offer inducements to our merchants to trade with the coast. They have found that the high-profit policy of California doesn't pay, so far as the Utah trade is concerned, and have concluded to try what "small profits and quick returns" will do towards winning the Salt Lakers. They think they can cut out Chicago and turn the tide of commerce west of the Rocky Mountains in its proper channel—the course the waters take.

We are glad to see these gentlemen and our business men will, no doubt, be glad to hear them. The rise in prices since the

great Chicago fire and the blockade on the U. P. railroad have conspired to assist these gentlemen in making their overtures. We want cheap goods and a quick return of orders and if 'Frisco' can give us the former the C. P. road will give us the latter.

(SPECIAL TO THE DESERET NEWS.)

## By Telegraph.

### GENERAL.

BALTIMORE, 7.—Dr. Merriman Cole, a respected physician, aged seventy-three, was found brutally murdered in his office at 86 North Exeter St., about eight o'clock last night. He was found lying dead on the office floor by his daughter who went to call him to his supper, with thirteen wounds about his face and head, and his skull crushed in three different places, apparently with a hammer. One pocket of his antaloons was torn out and left hanging outside. About nine dollars were found scattered over the floor, and twenty-four dollars were found in his wallet in his coat pocket. On the table was an unfinished receipt which Dr. Cole was doubtless writing when stricken down. He was in the habit of collecting his rents every Saturday. The locality of the murder was in the very heart of the city, two doors north of Baltimore St. There is intense excitement, but no arrest has yet been made.

This a.m. President Grant, with Secretary Boutwell, visited the Commercial Exchange. The Secretary made an address, in which he said he felt that no nation could be independent or powerful in proportion to its extent and physical capacity, unless it placed its public credit in the foremost place of the nations of the world. The five hundred millions of dollars of the public debt, or nearly that, which have been paid within the last three years, have been just so many dollars transferred from the public securities, and which were locked to channels of business, and become a great means of developing the resources of the entire country. "While it is not necessary to continue to the same extent the liquidation of the public debt, I believe we shall be false to the good faith that has been pledged to public creditors, we shall be false to the best interests of the country, we shall disregard the experience we have had of that policy to contribute to the public prosperity, if we do not furnish means to pay at least \$50,000,000 of the public debt a year until all is paid, or so much reduced that if in an exigency which may come we shall be called to ask the country or the world for a loan of \$100,000, or \$500,000, or \$1,000,000,000, the capital of the world will leap from the vaults of its owners into the treasury of the United States. While I would look into history of nations for their ideas and for the experience which other nations and other generations have had, I still believe the best security to our ideas, policy and power is to be found, in the examination of facts, and trust on the public mind."

After Boutwell's speech, a reporter had a talk with him as to the proposed loan now being agitated. The proposition to take this amount has been made by Rothschild and the American bankers in London and favorably received by Boutwell. The only impediment that operates against the consummation of the terms proposed in the present lack of power on the part of the secretary to make the interest payable abroad, as recommended in his last report. A part of the loan, the new five, as it will be known, has been bid for by these parties, the interest payable in America. These propositions will be acted on as soon as the Secretary returns to Washington. If the interest can be paid abroad, there will be no difficulty in refunding \$600,000,000 of the present six per cent. loan into the banks, averaging 4½ and 5 per cent interest, or 4½ in the aggregate, (thus saving, as its projectors claim, seven and a half millions per annum on this \$600,000,000.

NEW YORK.—The journals comment upon the Fisk murder. The *Herald* says the cowardliness of the act has reaped its first fruits. For Fisk there is wide spread sympathy. There is nothing in the case to distinguish it from murder for which death on the gallows will be visited on the convicted.

The *Times* pronounces the murderous deed as brutal and cowardly, and will attract toward Fisk an amount of public sympathy to which no part of his career has entitled him.

The *World* says the act may be seen

in its most accurate type, the spirit of those marital murders which disgrace our pretensions to civilization, and whatever miserable results this wretched business may have, it will be beneficial, if it enables men who cannot see that murder is murder, which is perpetrated on the specious plea of the sanctity of marriage, to appreciate the same crime when perpetrated with the view of consecrating concubinage.

The following are the provisions of Col. Fisk's will—Mrs. Hooker, his sister, receives one hundred thousand in the Narragansett steamship company's shares; his father and mother three thousand a year each; to each of the two Misses Morse he bequeathed two thousand a year; to the ninth regiment \$11,000, this gift was made a week ago, but was legalized last night; to his wife he bequeathed the balance of his property of all kinds; to Jay Gould, for whom he entertained the warmest and most disinterested friendship, he left his personal effects, and trusted to him the labor of love, as it is called in the will, of carrying out all his (Mr. Fisk's) legacies in regard to public improvements. Mrs. Fisk inherits all her deceased husband's shares in the Erie R. R.

PHILADELPHIA.—The small-pox deaths for last week are 230, which is about the same as the previous week. There is a falling off of 100 in the number of new cases reported.

CHICAGO.—The through train from Frisco, which had been snowed in for fifteen days past on the U. P., arrived this afternoon at 4 o'clock.

NEW YORK, 7.—A few minutes before eleven o'clock this morning, Jas. Fisk, jun., expired. All that unremitting medical skill and attention could do, had been done, but it was of no avail. Jay Gould was in attendance from early this morning. His face wore, while yet there was a hope of his friend's recovery, its usual commercial expression. No sooner had he expired, however, than Gould's fortitude gave way and his grief found vent in tears.

News of Fisk's death spread rapidly and everywhere produced a profound sensation of deep regret. All the aspersions that his enemies had heaped upon his character in a moment were forgotten and only his noble qualities of head and heart were remembered. His frankness, his generosity, and his charity. The scene in and around the room where his body lay was touching in the extreme, and it became necessary to admit up stairs only those who came at first on business; yet a very large number of the friends of Fisk and guests of the hotel viewed the body. Many ladies were among them. Later in the afternoon, prior to the removal of the body to Fisk's late residence, the general public were admitted to view the body.

The body will be conveyed from his late residence, No. 313 N. Twenty-third street, to the new Havana depot, at two o'clock on Monday afternoon. The funeral will take place at Brattleboro, Vermont, on Tuesday, at one o'clock, p.m. The brigade to which the 9th regiment was attached, has been ordered out to escort his remains to the depot to-morrow night, acting as special funeral escort. The officers of the brigade will wear the usual badge of mourning for thirty days.

Stokes was taken to the Tombs this morning, and placed in a cell on the second tier, where the worst criminals are confined. When he heard of Fisk's death, he expressed his regret, and said he did the deed in a state of frenzy. The indignation of the public finds vent in a general wish that the criminal may be tried, convicted and hanged without delay.

CHICAGO, 8.—The northwestern train last night brought through passengers, mails and express from San Francisco of 19th, 22nd and 26th Dec. There were about 800 passengers, mostly first class.

NEW YORK, 8.—A *Herald* Philadelphia dispatch states that in course of conversation at the residence of ex-Secretary Borie last evening, a correspondent was informed that President Grant had demanded an apology from Spain about five days since. The monitors now being fitted out at Philadelphia are not intended to proceed to Spain, unless that Government refuses to apologize and pay remuneration for the outrage on the *Florida*. The President does not think the outrage an intended insult on the part of Spain, but he deems it rather the result of rashness of subordinate officers of that Nation.

The President and Sickles had a long conversation on the Spanish difficulty. The President is more than ever determined to exact an ample apology.

In consequence of the rumor last night that the 9th regiment (Fisk's)

intended to lynch Stokes, the Tombs were guarded by a force of police, but the apprehensions proved groundless and President Smith of the board of police stated yesterday that it was the intention of the prosecuting officers of the county to have Stokes indicted by the Oyer and Terminer grand jury to-day, the coroner's inquest would be tedious, the proceedings would be set aside, Stokes would be indicted forthwith, arraigned and plead the same day. It is expected that the trial will take place within 30 days.

It was rumored last night that Miss Mansfield had disappeared and could not be found in the city. The rumor is generally credited from the probability that she will be a witness in the trial.

On Thursday last, Fisk offered to advance two hundred and fifty thousand to pay the police department for December. The money was to have been furnished to-day.

The coroner's jury will meet at Fisk's late residence this morning. It includes Marshal Roberts, George Opdyke, Henry Clewes, David Downs, and other prominent gentlemen.

The examining physicians stated that Fisk's brain weighed 58 ounces.

The counsel for Stokes includes John Graham, Jno. McKean, and Roger A. Prior.

Wm. O. Bartlett, who accompanied Stokes in a coupe and who is supposed to have bought the pistol for him, has been arrested, also the driver of the coupe.

SANTA ROSA, 8.—The Grand Jury of Sonoma county have finished their labors, having indicted the Wells Fargo Express robbers and the murderers of Benton; 27 indictments were found in all. The County Court meets on Monday next.

The following companies have been incorporated: the Union Tug Boat company, to operate here, capital two hundred thousand dollars; Arizona and Utah mining company, to operate in the Gold Hill district, Nev., capital a million eight hundred thousand dollars; the California Irrigation company, to construct a canal for manufacturing purposes, to extend from the Sacramento river on the west side, near Red Bluff, to Cache slough, Suistun slough, and Suistun bay, with feeders and branch canals for collecting and receiving the waters of streams leading into the river from the coast range, Clear Lake and Sacramento river, to be used for irrigating land between the Sacramento river and the coast range, capital ten million dollars, trustees Jno. B. Frisbee, E. L. Sullivan, A. H. Rose, C. W. Howard, C. McLane, C. J. Brenham, A. Hayward, A. Redington, and J. C. Wilmerston; Lake Tahoe and American River Water Co., capital twelve million, to operate in Placer County, understood to be a scheme antagonistic to Von Schmidt's.

The crowd of gamblers who, until the police interfered, did a thriving business, appear to have scattered over the country.

A slight shock of earthquake was felt here at 10:25 a.m., which slightly affected some of the hot springs, causing them to flow faster than usual.

### FOREIGN.

LONDON.—The Marquis Hartington, chief secretary of Ireland, in an address to his constituents, declared that the government must be firm in repressing rebellion in Ireland, and should set its face against leaving education in the hands of the priests.

LONDON, 6.—The British sovereignty has been proclaimed over that portion of Africa which was recently annexed to the colonial possessions of Great Britain. Brand, president of the Free States, protests against this.

A terrific thunder storm prevailed in this vicinity last night. Hail fell to the depth of two inches. The glass of nearly all exposed windows is destroyed.

Joseph Gillot, steel pen manufacturer, is dead.

The government having refused to help the geological society to organize an expedition to search for Dr. Livinstone, it now appeals to the people for assistance. Great efforts will be made to start the expedition this month.

Ex-Emperor Napoleon on New Year's Day is reported to have said:

"I will give Thiers six months of his presidency of the French Republic and at the end of that time Gambetta will be in his place and the change will be favorable to the imperial cause."

PARIS, 6.—The prosecution of a man named Cremer, for shooting a grocer of Dijon, who was suspected to be a Prussian spy, has commenced.

LONDON, 4.—Prince Gortschakoff, in a recent communication to Curtin, the