

The Louisiana Case.

Kellogg was not the choice of the people of Louisiana, or at least it had not been satisfactorily shown that he received a majority of the votes of the people. His government, with its legacy of debts and taxes and bad legislation, was an intolerable burden. It was to throw off this that New Orleans flew to arms, but the dignity with which the proud people of that proud city acknowledge their allegiance and manifest their obedience to the general government is admirable. Kellogg is rebuked, and at the same time the people of the North are assured that it was against him and not against the Union that they seized their weapons of war in a moment of despair.

When Kellogg applied for military assistance it was the clear duty of the President to make the necessary proclamation and promise to furnish it. But in an emergency so important it is the duty of a statesman to proceed with wise circumspection and deliberate caution. Strict adherence to law may sometimes involve serious entanglements, especially if legal mistakes and erroneous commitments have put the government in a false position from which it is difficult to retreat. President Grant's original recognition of Kellogg was a political blunder. Peace and tranquility would have reigned in Louisiana if he had not acted on the illegal order of Judge Durell and had allowed things to take their natural course in the inauguration of McEnery, who had the color, at least, of a legal election. The present revolution in Louisiana is the direct consequence of President Grant's original mistake, and even if he is at last sensible of that mistake and is willing to rectify it, he stands in an embarrassing position. Having indiscreetly recognized Kellogg as the legal Governor, the President was bound to support and restore him; but, having made this recognition without warrant of law, in pursuance of a judicial decree for which Judge Durell was impeached by the House of Representatives at its last session, the President should perceive that he is in a false and untenable position.

Even the republican party is not unanimous in thinking the President made a wise decision. The impeachment of Durell by the House affords a presumption that the President was misled. The report of the Senate committee charged to investigate this question winter before last, proved that Kellogg was not legally elected, and Senator Carpenter's very able speech put the point beyond reasonable controversy. When a false decision of the President brings the country to the brink of a civil war he obviously does not stand on the same clear and tenable ground as if there were no valid legal objections to his recognition of Kellogg. His persistence in an original mistake, even with the implied sanction of Congress, puts him in a very different position from that which he would hold if the unanimous judgment of the statesmen of his own party supported him in recognizing Kellogg on the decision of Durell, the impeached Judge. When strict law is on one side and fairness, equity and justice on the other, the President ought to pause and consider.

The difficulty of the Louisiana situation consists in a conflict between what is right and what is legal. In point of law Grant is bound to support Kellogg after recognizing him as the legal governor. But in equity and justice Kellogg has no title to the office, and the best public opinion of Louisiana warmly indorses his overthrow. With justice and sound local opinion on one side and strict law on the other the President is put in a very embarrassing dilemma. This is one of the occasions where compromise and conciliation is the wisest statesmanship, if a pacific adjustment is possible.

It is of the essence of republican institutions that the people should rule.—N. Y. Herald, Sept. 18.

The Indian War in San Juan.

The many idle and exaggerated stories, that are afloat about the Indian outbreak in La Plata county, their robberies, murders and deviltry generally, when condensed and sifted, contain just this much of truth: Some week or so ago a

band of about fifty warriors from one of the tribes of the Ute nation, headed by a chief who is hostile to Ourey, the head chief of the Utes, moved into the section occupied by the whites for agricultural and mining purposes, along the Animas river and in the Animas valley, being a district about thirty-five miles south or southwest from Howardsville, the county seat of La Plata county. This party of braves declared their intention to repudiate the treaty made by Ourey with the United States, and ordered the settlers to move off. Upon refusal they began to burn hay, cabins, etc., to kill stock, and destroy crops generally. This is all. The whites assembled, formed a company of forty or fifty men, well armed, and proceeded against the Indians who had gone back.

The military at Fort Garland were informed and up to this writing no further tidings have been had. This statement is correct. It was made to us by one of our well known attorneys, who has just returned from the seat of war, and was the bearer of the dispatch to the military authorities.

We hope our exchanges will therefore give no credit to the false stories that may go abroad in this relation.—Prospector.

Position of the Administration in the Louisiana Case.

The following views of Attorney General Williams probably reflect those of the Cabinet and, on which Grant proposed to re-instate the Kellogg usurpation:

"The so called Kellogg government has been established and in full operation for about two years. It has been repeatedly decided by all the courts of Louisiana to be the only legal government of the State. It has been expressly recognized by the President, and impliedly by Congress. The President, in a special message, called the attention of Congress to the subject, and stated that, if they took no action, he should feel bound to regard the Kellogg organization as the lawful government of the state. Congress declined to legislate about the matter. The question is not now whether Kellogg or McEnery ought to be governor, or whether or not there were frauds or irregularities about the election. The question is whether a state government that has been fully organized for nearly two years, and recognized as such by all the departments of the government, state and national, can be properly overthrown by the armed population of a city in which the seat of government is located by means of violence and bloodshed. Admitting all the wrongs charged upon the Kellogg government, can these proceedings be permitted to stand as a precedent? Are the governments of the states of this Union to be determined by pronouncements, and violent and bloody outbreaks, as they are in Mexico and South America? I do not see how this case differs in principle from the Arkansas case. Brooks claimed that he received a majority of the votes at the election, and I have always thought he did. Baxter, however, was the duly installed governor of the State of Arkansas. Brooks, relying upon the claim that he was elected, displaced Baxter by a coup d'etat, but the President refused to recognize his right to hold the office obtained in that way. That was a decision against the republicans, and in favor of the democrats. Following this precedent, I do not see now the President can recognize Penn."—Omaha Herald.

Judge Durell and the Louisiana Business.

In view of the fact that the legality of the Kellogg government is based on a decision rendered by Judge Durell, the following reference to the proceedings of Congress in his case will be read with interest at this time. It will be remembered that the action of the judge with respect to his decision on the gubernatorial troubles was questioned by Congress, and the subject by resolution of the House of Representatives was referred to the judiciary committee. The committee after investigating the acts of the official submitted three reports, the majority report being presented by Mr. Wilson, of Indiana, accompanied with the following resolution:

"Resolved, That Edward H. Durell, judge of the district court of the United States for the district of Louisiana, be impeached of high crimes and misdemeanors in office."

The remaining resolutions provided for the appointment of a committee to prepare articles of impeachment. The minority report was signed by Lyman Tremain, William Fry, John Cessna and J. D. Ward, and was to the effect that the above named members of the Judiciary Committee dissent from the conclusions of the majority, and recommend that all proceedings against Durell be discontinued and dismissed. Mr. Poland also presented a minority report signed by himself as follows: First. In relation to the midnight order, although he believes the judge had no proper legal jurisdiction to make it, still he is not able to find that the judge acted corruptly, or with any belief that he was going beyond his jurisdiction in making it. The law under which he acted was new, and no rules or precedents had been established under it. The whole people were excited, the times were violent and turbulent, and judicial calmness or correctness could hardly be expected. Secondly. The evidence seems to establish that some of the officers of Judge Durell's court were guilty of very corrupt practices and that he was not watchful to scrutinize their conduct; but there is no claim that he ever shared in any of the proceeds of their gains, and no direct evidence that he knowingly sanctioned or approved their action. Thirdly. Where the evidence obtained by substantially an *ex parte* examination, only secures a bare majority of the committee, it does not appear to me that the public interest will be furthered by presenting articles of impeachment to the Senate for trial.

No action was taken by the House other than to print all the reports and recommend the same to the Judiciary Committee, where the case now is, no additional report having been made.—Washington Star.

Annual State and Territorial Elections.

Time.	State.	Officials to be chosen.
Sept. 2.	Vermont.	State Officers, Congressmen.
Sept. 2.	Wyo. T.	Congressman.
Sept. 8.	Colorado.	T. Congressman.
Sept. 14.	Maine.	State Officers, do
Oct. 13.	Indiana.	State Officers, do
Oct. 13.	Iowa.	State Officers, do
Oct. 13.	Nebraska.	State Officers, do
Oct. 13.	Ohio.	State Officers, do
Oct. 14.	Georgia.	Legislature.
Oct. 21.	S. Carolina.	C. unty Officers, do
Oct. 22.	W. Va.	Congressmen, do
Nov. 2.	Louisiana.	Treasurer, do
Nov. 3.	Alabama.	State Officers, do
Nov. 3.	Arizona.	T. Congressman, do
Nov. 3.	Arkansas.	State Officers, do
Nov. 3.	Dakota.	T. Congressman, do
Nov. 3.	Delaware.	State Officers, do
Nov. 3.	Florida.	Congressmen, do
Nov. 3.	Georgia.	Congressmen, do
Nov. 3.	Idaho.	T. Congressman, do
Nov. 3.	Illinois.	State Officers, do
Nov. 3.	Kansas.	State Officers, do
Nov. 3.	Kentucky.	Congressmen, do
Nov. 3.	Maryland.	Congressmen, do
Nov. 3.	Mass.	State Officers, do
Nov. 3.	Michigan.	State Officers, do
Nov. 3.	Minnesota.	State Officers, do
Nov. 3.	Missouri.	State Officers, do
Nov. 3.	Nevada.	State Officers, do
Nov. 3.	New Jersey.	State Officers, do
Nov. 3.	New York.	State Officers, do
Nov. 3.	Penn.	State Officers, do
Nov. 3.	S. Carolina.	State Officers, do
Nov. 3.	Tennessee.	State Officers, do
Nov. 3.	Texas.	Congressmen, do
Nov. 3.	Virginia.	Congressmen, do
Nov. 3.	Washington.	T. Congressman, do
Nov. 3.	Wisconsin.	Congressmen, do

—New York World.

POLAND.—If it is in order, the Union would suggest that there is a vacancy to be filled in the post of United States minister to St. Petersburg, Russia; that "Uncle Luke Poland," of Vermont, is a defeated Administration candidate for Congress; that he was defeated by the press-gag law of his invention; that such a law would be much more popular in Russia than in this country; and that, all things considered, perhaps Grant could not do a better thing for Russia and "Uncle Luke," than to send him to St. Petersburg. It don't matter much about pleasing our own countrymen. In such things they are never consulted. The main point is to have the right man in the right place.—Sacramento Union.

Women dress "to please the men," do they? Why, if the whole male genus were extinct, it wouldn't make a feather or a fur-below difference in the get-up of the dear creatures, so long as there was a living chance of spiting some other woman.

BREVITIES.

Not one-fifth of the land in Illinois is under the plow.

Did anybody ever hear of a fair that wasn't "the best that has been held in this locality?"—Ex.

"The day of dalliance with such men is passed," says a Chicago paper. Who dallies with a man anyway?—Boston Post.

A cow died in Springfield, O., from eating too many apples, which gave rise to some trouble in cider.

A new Hampshire woman, when dying, made her husband swear on the Bible that he would never marry a woman with a sharp nose.

The Arizona Miner says every man has his forte. Indian Agent Tonner's forte is to spend \$10,000 per annum out of a salary of \$1,500.

The New York Tribune has at last come to the conclusion that there "is no joke at all" about the third term business.

The Milwaukee Sentinel says—What is wanted in Kansas is more telegraph poles, or stronger ones. The average pole holds only about four horse-thieves comfortably.

The young men of Nevada City, Cal., will not take the young women to places of amusements and the young women are growling about it in the papers.

It was in Los Angeles that an intelligent jury examined a man on a charge of insanity and pronounced him sane, tried him immediately afterwards on a charge to kill, and cleared him on the ground of insanity.

The Rev. Theodore L. Cuyler, while in London, went to hear Spurgeon, and writes as follows of the great preacher: "He just plants that broad, fat figure of his before the crowded thousands, and opens his homely mouth, and a ceaseless stream of racy English, pure gospel truth and trenchant appeal to the conscience pours out as steadily as water from Croton reservoir. His 'notes' would not cover more than the back of an ordinary envelope. He never precomposes one sentence. But he has the whole Bible on the end of his tongue, and uses it with rare discretion and point. * * * His versatility is wonderful. He superintends a church of 5,000 members, a theological school, an orphanage and several other institutions, edits a newspaper, preaches three sermons a week, writes books of Biblical commentary, publishes his own almanac, and has made the 'Book of Fifty Hymns.'"

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