

ciable feeling prevailed, as a rule, great credit being due to the managers, for the excellent order that was kept.

The firemen were in uniform, scarlet shirts, slashed with white and some with blue, while many of the ladies, to be in harmony with their partners, in dress as well as in other respects, were bedecked in corsages of the same brilliant color, all of which, of course, tended to heighten the gaiety of the scene.

A part of the programme consisted of a grand march, by the firemen and their partners exclusively, led by Messrs. T. Goodman and George Neimoyer. While preparations were making for this in the rear part of the building the stage curtain dropped and Mr. Henry Maiben regaled the other guests with his graphic rendition of the comic song of "The Man That Could Never Get Warm," singing it with such effect, suiting the action to the words, that, but for the rather heated atmosphere, some of the more ethereally clad ladies might have been seized with sympathetic chills.

The march was interesting and picturesque, the various movements being executed neatly, without any appearance of bungling.

The ball was kept up till between two and three o'clock this morning, when all who had not previously done so retired to their homes, apparently well pleased, at having passed a few hours in social enjoyment.

The Ricks Case.—The public of this city and the Territory generally are aware that Colonel Thomas E. Ricks, of Logan, Cache County, has been an inmate of the Penitentiary, for some four or five months past, held there for trial in the Third Judicial District Court, on an indictment, found by the Grand Jury, charging him with the murder, at Logan, several years ago, of one David Skeene.

Colonel Ricks is an old and respected citizen of the Territory, and is known to perhaps thousands of the people of Northern Utah as a man whose course of life has been such as to place him far above the suspicion of having ever committed a crime of any kind, much less one of the horrible character with which he now stands charged; in fact it may be safely said that, by those who know him best, he is esteemed as a citizen, in every respect, of irreproachable character. In view of these facts, it may not be amiss to state the nature of the charge upon which he is now held. The following outline of the history of the case is thoroughly reliable, and there is little doubt that the points here stated will be developed during the progress of the trial, and that Col. Ricks will leave the Court room with his character thoroughly vindicated from the foul charge which it has been the effort of some to fasten upon him.

On the 27th day of June, 1880, Mr. Charles G. Rammell, of Providence, Cache Co., entered a complaint, before the Honorable Peter Maughan, then Probate Judge of Cache Co., but now deceased, against David Skeene, at that time a resident, we believe, of one of the settlements in Utah County, who, he verily believed, some twelve days previously, had taken away two horses and a colt, valued at \$250, his Rammell's property. On the 28th day of June, 1880, or thereabouts, Skeene came up from the south to Cache county. While passing through Wellsville, on the way to Smithfield, he was recognized by certain parties, who conveyed the information that he was in the county to Judge Maughan, who issued a warrant for his apprehension, and he was arrested at Smithfield, brought to Logan and placed in custody. His preliminary examination on the charge of stealing Rammell's property was set for the 20th day of June, but when the court convened the prisoner asked for an adjournment on account of the absence of important witnesses; his request was granted and he was remanded until the 4th of July. After the postponement of the examination it was ascertained, from thoroughly reliable sources, that the prisoner intended to make an attempt to effect his escape. In consequence of the information thus obtained more strict guard over the prisoner was instituted, but late on the evening of the second of July, or very early on the morning of the third, he attempted to make his escape from custody, and in so doing assaulted

his guard, Mr. Ricks, then sheriff of the county, who, as any vigilant officer would have done under the circumstances, fired upon his prisoner, the shot inflicting a mortal wound.

An inquest was held on the 3rd, as soon as convenient, by the coroner and a jury, at which, from the evidence given, it appeared that the prisoner, while endeavoring to escape from custody, was shot by the officer having him in charge, and that officer was very properly exonerated from all blame in the transaction.

District Court Proceedings.—The Court met at 10 o'clock this morning, J. B. McKean, C. J., presiding. After a few *ex parte* motions were disposed of, the Court ordered a recess to be taken till 11 o'clock, when, if there was no further business, the Court would adjourn. Just then the U. S. District Attorney, appeared, and also the defendant in the case of the People, &c., vs. Thomas E. Ricks and his attorneys, Messrs. Sutherland and Bates, this being the day set for the commencement of the trial of that case.

On the re-assembling of the Court, at 11 o'clock, U. S. District Attorney Carey stated that he was not ready to go on with the trial of the case of the People, &c., vs. Ricks, on account of the absence of the principal witness for the prosecution, he being sick, being also now outside the jurisdiction of the Third District Court and therefore not subject to any compulsory process issuing from it, and he, the District Attorney, therefore desired a continuance of the case.

Judge Sutherland replied, to the effect that the case had been set to be tried to-day by the order of the court and by the consent of parties, and that therefore, unless the prosecutor could show that subsequent circumstances, since the case was set for trial, made a postponement necessary, it should not be granted; that the District Attorney had failed to show that the situation differed now from what it was then. The prosecutor had presented no proof to the court that the witness referred to was sick, a matter of which, even on affidavit, he would be incompetent to testify, not being a physician. Neither did it appear that the witness would be here at any future time, being, as stated by the public prosecutor, not subject to any compulsory process of the court, and it might be that he would not appear without such compulsion. There was no evidence that he was willing to come.

The District Attorney explained that he did not know of the whereabouts of the witness till after the time of trial was set, that he had since heard from him to the effect that his health would not admit of his appearing in court at present, that he would appear as soon as possible, and that he, the District Attorney, expected a dispatch from him to-day, from the information contained in which he would probably be able to determine when he would be ready to go on with the trial of the case. Mr. Carey also stated that, as the witness, being at a distance, could not possibly, under any circumstances, appear in court until the day after to-morrow, it would be too late then to try the case with the jury of the present term.

The Court stated that, there being no proof before the Court of the facts alleged by the District Attorney, and the alleged facts being disputed, the Court could not act on the request for a postponement.

Judge Sutherland stated that he did not dispute the right of Mr. Carey to make his statement, and accepted it as if made on affidavit, but he was incompetent to testify to the facts alleged in the statement, because, not being a physician, he could not testify to the state of the witness's health, neither was he prepared to affirm definitely that the witness could ever be brought into court at all.

The Court granted the postponement, stating that he could not force the people into a trial until they had had ample time to bring their witnesses into court, and his decision would have been the same had the application been made by the defendant. He took the statement of the District Attorney as true, on the professional honor of that officer.

The attorneys for the defendant then desired that a day certain in the future might be set for the trial, when it was agreed that the counsel on each side should confer upon the matter, after Mr. Carey

had heard from the witness before alluded to.

Mr. Sutherland then made an application to the Court to have the defendant admitted to bail in the meantime.

The Court refused this, stating that there was a statute expressly forbidding this, although he, the Court, had once violated it.

The District Attorney stated that some time last Summer John Christie was examined in Justice Pyper's Court, on a charge of horse-stealing, that he was then bound over to the District Court, giving what is deemed a good and sufficient bond; and that the same Christie had been indicted by the grand jury, but had left the country.

The Court stated that Justice Pyper, who was present, could file the aforesaid bond with the clerk of the District Court, or with Mr. Carey, attorney for the people.

Court adjourned till 10 o'clock to-morrow.

SPEECH OF GOVERNOR AXTELL,

Delivered extempore at Ogden, Feb. 20, in Reply to the Address of the Mayor and Municipal Council of that City.

I wish to say to the Mayor and Councilors of this city that I do not expect to be able, in fitting terms, to reply to their kindly address of welcome. I did not expect to meet with the people at this time. I thank you, however, sincerely, for this mark of your confidence and esteem extended to me, as a stranger.

I desire to say to the citizens that I am glad to meet you, and to have the privilege of saying a few words to the ladies and gentlemen—or rather to the men, women and children, because these are the dearest words—who have assembled here to-night to see me, led, possibly, by curiosity to look in the face of one who is called, for the time being, to occupy a prominent position.

I came here only as the guest of one of your citizens; to visit my old friend Goff Moore, whose acquaintance I had the pleasure to make some twenty-three years ago, in California, and whose friendship I then secured, and have had the good fortune to retain during all these years. We were then, both of us, pick and shovel miners in California.

Twenty years ago last August I was selected as first District Attorney of a County formed in that State. I served the people of that County for six years. Afterwards I had the honor to represent, in Congress, one of the most populous districts of the State of California and subsequently to be re-elected to that position. During all this time, and for all the success I have ever enjoyed in public life, I have been indebted to the "common people," or the laboring men of the country. The confidence which they have felt in me, and which I hope never to forfeit, is my only warrant to any position of trust.

I wish to say to my old friends—the pick-and-shovel men, the hard-working men of the country—that I have always believed there was no real antagonism between labor and capital. For, I look upon labor as the locomotive, and capital as the force that sets it in motion. There is no antagonism between those who hold position and those who do not; and I pity the men in public station or private life who do not know a man from a piece of broadcloth. I have always looked into the actions of men and women to find their character, and not to their certificates of recommendation or their station and position.

I come to Utah, appointed by the government of the United States as the chief executive officer of the Territory; and so far as I am capable of judging of my own motives, and so far as I know my own determinations, I have not come as the favorite of any particular faction or set of men. I am determined to be a governor, not of a section, but of the whole people. Whether I can win your love or friendship, I do not know; but I intend to try to do my duty, and I believe that I can act so as to deserve the respect of all good men and women of this Territory.

There are certain great cardinal principles which should guide the politics of the nation. Among these are the right of local self-gov-

ernment; the idea that governments are instituted amongst men for the good of the governed; that governments derive all their just powers from the consent of the governed; that they are expected to aim to make men and women happy, to preserve life and property and personal liberty; that for this purpose governments are instituted, and that they are worthless if they fail to accomplish this end; that we owe, all of us, obedience to the law, and allegiance to the government. And allow me to say that, as a representative of the Federal Government of this country, I earnestly believe that it is for the good of every man, woman, and child of this Territory, and in all the United States, that the laws of the land should be strictly obeyed; and I have that confidence in the great man who presides at Washington to believe that he will see the laws enforced, and the law officers and their courts sustained, and their decisions carried into effect, whether in Louisiana or Utah, if it requires that a soldier should stand on every square foot of land in this Territory. The laws must be obeyed.

It is well understood what I mean. There is, in this country, perfect toleration for the religious sentiments of all men, and freedom to worship God according to the dictates of their own consciences, in obedience to the law, I mean the written law, the law enforced by the courts, that bears equally upon all, that knows no favoritism and no distinction.

I have not come here to make a speech to-night. But, from a few general principles that I have advanced, I hope you will discover that I earnestly believe in free discussion, both on the stump and through the press, and I am satisfied that our experience will illustrate the truth, that there is no danger to be apprehended from error so long as truth is left free to combat it. I am willing to trust my principles and creed to open and free discussion. I shrink from no comments or criticism from the public press. I screen myself behind no law of libel; I invoke no gag law. If I cannot live down in this community all that the press can say against me, then I am only a paper man. Men of character care not for criticism, favorable or unfavorable. I desire that free discussion of every tenet and doctrine and principle in this Territory of Utah shall go on, and that all men shall be free to debate, and I am convinced that the truth will come out, and that it will prevail.

Again thanking you for this meeting, and for this privilege, I now bid you all good night.—Ogden Junction.

By Telegraph.

CONGRESSIONAL.

SENATE.

WASHINGTON, 22.—The pension appropriation bill being up, Morton moved, as an amendment, his bill to provide for and regulate the counting of the Presidential vote, etc.

Sprague appealed to the Senate note not to allow such an extraordinary amendment to the bill, and moved to lay it on the table; agreed to, 32 to 30. The bill having been considered as in committee of the whole, was reported to the Senate, and Morton renewed his amendment, but finally withdrew it, and the bill passed.

The post office appropriation bill was then taken up, when the clause adopted by the House, repealing the act of '72 authorizing the Pacific Mail contract, was reached. West, who had charge of the bill, said that the committee reported that provision as it came from the House, without recommendation, the matter having been referred to the judiciary committee some days ago by a resolution of the Senate.

Robertson moved to strike out the paragraph appropriating \$906,000 for official postage, and to insert in lieu thereof a provision restoring the franking privilege.

West moved to lay it on the table; agreed to, 32 to 25.

Thurman moved to add an additional section, allowing the *Congressional Record* to go free through the mails.

Edmunds moved an amendment permitting all the public documents already printed by either house to be franked by any member, until December 1st, 1875.

Morril, of Vt., moved an amendment allowing the *Congressional Record*, or any part thereof, to be carried free; agreed to. The question then being on Thurman's amendment as amended, West moved to table it; rejected, 23 to 24, and the amendment was then agreed to. Several minor amendments were agreed to, when Thurman said the bill was being discussed under the five minute rule and, as the Pacific Mail contract was yet to be considered as an amendment, and the providing for a postal telegraph, he moved that the Senate adjourn, as these subjects should not be considered under this rule unless the Senate was prepared to deal with a matter involving the interests of thousands without fair consideration. The motion was lost.

Alcorn moved an amendment that garden seeds and agricultural reports pass free through the mails; rejected, 21 to 24.

WASHINGTON, 23.—Logan, from the committee on military affairs, reported back the House bill to equalize the bounties of soldiers in the late war, and asked its present consideration; objected to, and Logan gave notice that he would continue to ask its consideration during the morning hour until he got a vote.

HOUSE.

The rules were suspended and a bill for the reorganization of the Quartermaster Department was passed. Under this bill the department is to consist of one quartermaster general, with the rank, pay and emoluments of a brigadier general; four assistant quartermaster generals with the rank, pay, &c., of a colonel of cavalry; eight deputy quartermaster generals with the pay of a lieutenant-colonel of cavalry; fourteen quartermasters, with the rank and pay of a major of cavalry; thirteen assistant quartermasters, with the rank and pay of a captain of cavalry. The bill also abolishes the grade of military storekeepers as soon as the present incumbents cease to occupy that position.

Hoar, from the select committee on Louisiana affairs, submitted resolutions, first from the whole committee recommending the House of Representatives of Louisiana to reseat the members rejected under the application of the rule of the returning board; and second, which was not unanimous, that Kellogg be recognized as Governor of the State. He also presented the report, which was ordered printed in the *Record*.

At Taylorsville, West Jordan, February 11th, ABILAH WALTER. Deceased was born in East Farleigh, Kent, England, June 22nd, 1841; was baptized in February, 1859, by William Saunders; emigrated to this valley in 1865; stayed in Salt Lake City for two years; moved to Taylorsville, where she died; was much respected by all who knew her, and was a faithful Latter-day Saint, &c., and held for some time previous to and at her death the office of president of the teachers of the Relief Society in this place. She left a husband and five small children.

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