

GEORGE Q. CANNON,
EDITOR AND PUBLISHER.

Saturday, October 15, 1870.

THE LEGISLATIVE AND THE JUDICIAL.

OUR Chief Justice requires the applicants for naturalization in the Third District Court, to give a week's notice of their intention to make application, also to forward to the Court at the same time the names of their witnesses. Where does he find the law for this rule? And if there is no law for this requirement, as we think he will readily admit there is not, then by what authority does he usurp the legislative function? For if such a requirement is not sanctioned by the law of Congress, his making it is a clear usurpation of legislative power. Can any one imagine Congress intended that every Judge throughout the country should supplement its laws by provisions of his own—that every Judge should presume that it had not made the laws as full and perfect as they should be? Such a view of the action or laws of Congress is simply absurd. The naturalization laws are drawn up with great care. They provide for every possible contingency that would be likely to arise upon the subjects to which they relate, and when they passed both houses, and were approved by the President, they were finished. No Judge, however high his position, has the least right to add to them, or to enforce rules upon the subjects to which they pertain which are not prescribed by them. To do so is to insult the intelligence of Congress. With as great propriety might a Judge say that an applicant for naturalization shall be a resident in the country for a greater or lesser time than the law prescribes.

We shall not be surprised to hear that the disposition which has been manifested of late here to put new constructions upon the naturalization laws, and to enforce new regulations in administering them, has called forth rebuke. There are thousands of influential men in the country, many of whom hold official positions, who can instantly perceive that if infractions of the laws of Congress be permitted in Utah Territory, there is no telling where they will stop. And it is not unlikely that their influence will be used to check them in the outset. There is a sense of justice and propriety in most men's minds upon such points as these, and when they hear of invidious distinctions being made in the case of "Mormons," they revolt against them. They feel that the Government and people of the United States are strong enough to deal with the "Mormon" question upon honorable principles, without having recourse to chicanery, tricks and cunning to carry points which may be deemed desirable.

There may be many who do not feel so; they would use any means, however low and unfair, to gain their ends. The "Mormons" are too strongly entrenched in the right to be reached by sound legal measures, so this class would use every unfair means in their power to obtain advantages over them. By so doing they virtually acknowledge the weakness of their own position and the strength of the position occupied by those whom they oppose. The Cullom Bill is not yet law. Yet this class would have its provisions carried out as though it were the law of the land. They would have its passage anticipated. The fact is, they would like to exercise all the power which they may deem necessary to carry out their schemes. If Congress has been too liberal in its laws to meet their ideas of what is entitled to the Mormons, they want the privilege of curtailing them. If that body has failed to pass the laws which they think are needed to regulate the Territory to their notion, they want the privilege of arranging and enforcing them. What they aim to obtain is the right to exercise the Legislative, Executive, Judicial and Military functions, to be law makers, executors, judges and jury. Will they obtain it? *Nous verrons.*

"CHAMPION FUNERALISTS."

Burying the dead, in this country is assuming such importance in public estimation, that it bids fair soon to rank among the fine arts. The American people undoubtedly take the lead of almost all nations in every art and science, and they like, above all things, to be acknowledged as champions in everything they undertake. Accordingly we have champion "talkists," "walkists," "runners," and champions in almost all the "ists" that can be thought of. There is one department of human affairs, rather a melancholy one too, in which if we are not already champions we certainly shall be ere long, and that is in the art of burying. "Champion funeralists" sounds rather oddly to the ear, but to be acknowledged as such by the world, seems to be a point which the folks east are anxious to reach. This naturally follows and is an outgrowth of the hero-worshipping spirit of the nation. But there is little that is laudable or praiseworthy in carrying

living heroes or great ones; it is still less so to spend thousands of dollars and to be occupied for months in burying them, as is the case sometimes now. These funeral shows no doubt pay some parties engaged therein very well, and, as the old saying is, "there is no accounting for taste;" they may be pleasant pastime for some of the members of the committees under whose management they are conducted. But to see hundreds of thousands of the people of a great nation interested in and making a fuss about the burial of a deceased fellow mortal is simply ridiculous!

The funeral mania seems to be supplanting, to some extent, the monumental fever, which raged so fiercely some year or two since. The death of Mr. Peabody, the banker and philanthropist, seemed to call it into existence or to give it a great impetus. There can scarcely be a doubt in the mind of any person that Mr. Peabody was a very good man; his works prove that, and hundreds are now experiencing the benefits of his munificence. But the way that man's mortal remains were served! Buried and exhumed in Great Britain, transported across the Atlantic in a man-of-war provided expressly for the occasion, and then packed around and made a show of for weeks in this country before being committed to their final resting place, was as great an absurdity as could well be conceived!

Since then there has been another instance, which was also seized upon with avidity, for a similar display. We allude to the funeral of the late Admiral Farragut. It took several weeks to bury him, and before the task could be accomplished, the highest ability and talent which the nation possessed had to be called into requisition. The death of General Lee furnishes another chance in this direction; whether the people of Virginia will require several weeks to accomplish the task, and will vie with their northern brethren for the "championship" in this peculiar line of American enterprise and genius remains to be seen; for the sake of common sense it is to be hoped they will not.

We are universally noted for being a peculiarly live people; and this fact and parade about the mortal remains of our departed great is not consistent with the reputation of the nation for hard, common sense. "Honor to whom honor is due" is a motto whose observance is praiseworthy; but the expenditure of tens of thousands of dollars, and the display of national enthusiasm over the interment of an individual, whose deeds in life may have rendered him famous, and who, while living, has received very high rewards therefor, is a most childish display; and in view of the fact that the names and memories of the departed great might be honored much more effectually, and strictly according to the dictates of common sense, this lavish expenditure of time, means and enthusiasm is too high a price to pay, to secure for the nation the appellation of the world's Champion Funeralists!

GOLD AND CIVILIZATION.

THE extract, from an eastern contemporary, published on our last page to-day, is worth more than a thoughtless perusal. Its statements are probably exaggerated, but if there be any truth in flying rumors for the past two or three years, South Africa possesses enormous mineral wealth. To obtain this wealth men will brave every danger; and although Africa is still, to a great extent, a terra incognita, and is less inviting to the white race than any other portion of the known world, their advances, if inspired by the hope of acquiring sudden and great wealth will not be deterred by its terrors.

The curse which hangs over the African continent is undoubtedly owing, in great part, to the fact that for many ages, it has been left solely under the control and in the possession of the colored, or inferior, race; and the result there, as everywhere else where their domination exists, has been retrogression instead of progression. It is said that the continent is sterile, and incapable of being colonized; but these objections are little if any stronger than those once raised to the colonization of the Great West of America. It was pronounced a hopeless desert by reason of the sterility of the soil, the severity of the climate, and other natural, and seemingly insurmountable obstacles; but time and experience have demonstrated the fallacy of such assertions. The climate has been modified, and the capabilities of the soil, under the persevering, almost tireless efforts of the settlers, have shown that it is abundantly capable of supporting millions. Who knows that culture and toil would not, eventually, produce similar results in sterile, torrid Africa? We believe its wastes and deserts will be colonized by the superior race, and that the discovery of gold or diamond fields will be the means, in the hands of Providence, of giving a great impetus to the work.

Gold and diamonds for the having, and the hardy, ingenious Anglo-Saxon, and other white races will flock there by thousands; civilization will follow in their track, and despite the difficulties to be encountered, there as well as in the great west of America, the love or thirst for gold, pronounced by a high authority, to be a prolific source of evil, will doubtless become a principal means of receding a continent

from the curse of barrenness and sterility, and of giving a vastly increased field for the operation and spread of the white man's domination and influence.

(SPECIAL TO THE DESERET NEWS.)
By Telegraph.

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AFTERNOON DISPATCHES.

French Heroism at St. Quentin.

Decisive Successes of the French around Paris.

ADDITIONAL PARTICULARS OF THE BATTLE OF OREANES.

NEW YORK.
Coolie Insurrection.

NEW YORK, 14.—The Herald's Lima letter of September 14th gives the annexed details of a Coolie insurrection in the valley of Lupe, a hundred and fifty miles from Lima, on the plantations of Patolea and Galpon. Nearly 1,200 Chinese were employed, and in the neighboring estates more than 4,000 of the Coolies were contracted for. Several months since symptoms of dissatisfaction were noticed among these laborers, but the overseers and owners trusting to their authority and power paid but little attention to them. Unfortunately no precautions were taken against surprise. The Chinese were left in tranquility and able to mature their plans. An agent on the estate had arrived from Lima, with a large sum destined for the payment of the laborers and the purchase of cotton. While this person, with the overseer, physician, and several other employees were at supper on the 4th, the dining room doors were suddenly broken open and a crowd of nearly 200 Coolies, armed with stakes and every arm imaginable, burst upon the whites; and in less time than it is required to relate it, had murdered them all save one, who being gravely wounded fell under the table and was thought dead. Sacking the house and securing the revolvers and rifles on hand, the insurgents proceeded to the adjacent hacienda of Galdon, and repeated the same barbarities. Not satisfied with killing the whites they encountered, the most revolting atrocities were practiced on their dead bodies, and several women and children were subjected to shameful and cruel torture.

The number of the Chinese now amounted to 1,100, and their movements appeared to be directed with some degree of intelligence by one who acted as chief. Having secured all the money and valuables to be found on the estate, a larger amount was anticipated in the sacking of the village of Barravilla.

In the meantime the owner of an estate that lay on the road to that village was notified by a friendly Coolie of the approach and designs of the marauders. Hastily placing his wife and family in the chapel belonging to the plantation, he, with another friend, strongly barred the doors, and resolved to defend himself with the life of his rifle. The Chinese were vigorous in the attack, but unaccustomed to warfare with arms, they fell easily before the defenders of the chapel. In less than two hours these two brave men had killed and wounded more than sixty of their assailants. So desperate indeed had they become that a retreat was determined upon for the accomplishment of their design to sack the town. Here the inhabitants had time to make some slight preparations for defence. A barricade was erected at the entrance to the village, and forty men well armed were posted behind it to resist the assault. In a short time the Chinese, reinforced to the number of 2,000, appeared in front and actually sent the leader to parley with the defenders regarding their surrender. He had hardly opened his mouth when a well directed rifle ball put an end to his existence. The Chinese, goaded to madness, threw themselves upon the barricade. The fight for a few moments was hand to hand, and the whites suffered severely under the knives and weapons of the assailants. Soon, however, the power of gunpowder began to assert itself. The Coolies retired to a distance and appeared to be deliberating upon their future movements. At this juncture the defenders of the chapel, having placed the family in a place of safety and found several companions, appeared in the rear and commenced such a vigorous fire upon them that in a short time all order was forgotten and the insurgents were in headlong flight.

A telegram had been sent to Lima, and on the morning of the 6th, the president with two hundred soldiers arrived at the scene. The Chinese had dispersed to the mountains. The soldiers, after securing the few who could be found, started in pursuit by forced march. The results of this terrible tragedy are forty murdered among the whites, and nearly three hundred Chinese killed. Crops were destroyed, and all the Coolies seeking refuge in the hills, roaming in bands, and desolating unprotected hamlets that they find on the way, are not only a danger to the owners, but still form a dangerous element to peace and security. Great excitement is manifested at Lima throughout the Republic being so great as to cause general uneasiness and distrust, while planters are perplexed to find laborers for their estates, which if left uncultivated, in an incredibly short time are almost irretrievably ruined.

A late letter, dated the 23rd of September, says the Chinese insurrection is beginning to be productive of trouble. The troops have found it impossible to discover the hiding places of large numbers of the Coolies, they having taken refuge far in the interior, in the fastnesses of the neighboring mountains; consequently several of the most valuable estates in that section of the Republic are paralyzed and will doubtless continue in that condition for some time to come. A million of dollars will possibly not cover the damage suffered by the planters. A bill introduced into Congress to prevent coolie labor and to import negroes, was not approved, and a motion made to authorize a company to secure negroes from the United States and Africa was also defeated, the members of Congress ap-

pearing to view it as an effort to re-establish slavery in Peru.

PENNSYLVANIA.
PHILADELPHIA, 14.—Horms, Republican, is elected in the 5th district by 160 majority.

FOREIGN NEWS.

PORTUGAL.
LISBON, 14.—The mail steamer from Rio Janeiro brings dates up to the 22nd of Sept. The news is quite important. A force of the Argentine Republic defeated the insurgents in two engagements. There has also been an unadvised struggle between the Montevideans and the rebels.

PRUSSIA.
Another town invested by the Prussians.

BERLIN, 14.—An official dispatch, dated Colmar, Wednesday, says five thousand Prussian troops are before Neufbrisch, and the investment of the town is vigorous and complete. Two German corps, numbering three thousand each, levy contributions in the country around Colmar.

GREAT BRITAIN.
Prince Albert marching on Rouen.

Bad for the Prussians—Munich in Metz reported.

LONDON, 14.—The following advices have been received here from Tours: The Rouen Journal has an editorial article demanding that that town be placed in a state of siege and the command intrusted to an experienced general.

All lines of communication toward Tours are still open.

The Prussians are levying heavy contributions on the people around Beauvais.

The commander of the fifteenth corps has made an official report to the government of the battle before Orleans. He says the fighting was desperate. The Prussian artillery literally overwhelped us for three hours, however the enemy was held in check, when a flank movement compelled our retreat, which was effected in perfect order.

Each canon of France has been required to furnish a battalion of soldiers for the national defenses. The total number of canons in France is about two hundred and eighty-five.

A dispatch from Versailles states that Gambetta's manifesto was received well. The government is fully sustained and the postponement of the elections for members to the constituent assembly is acquiesced in.

The details of the fighting before St. Quentin, received and furnished, according to one of the journals, are a story of true French heroism. The Prussians had not returned to make a second effort to capture the town, as they threatened. The French preparations to receive them were perfect.

A detachment of three thousand Germans, under the command of Prince Albert, with artillery, have marched on Rouen. They are making exhaustive requisitions on their way.

The Prussians report that a mutiny is imminent among the French soldiers at Metz.

The land around Fort Mont du Valerien was regarded as the garden spot of Paris before the investment. The commander of the fort has employed his men in digging potatoes and collecting other crops, all of which are stored in the fortress.

A dispatch from Versailles yesterday, dated Berlin, was received to-day. It contains the following: Courts Martial on the Prussian lines make short work of deserters.

The amount for arming the German people has been raised to twenty-three millions.

Prince Frederick Charles occupies the house of the Princes of Montauk. The Royal headquarters are at the west of the beleaguered city, and those of the Crown Prince to the east.

The commander of Toul died at Mendon recently of small pox.

The French fortresses on the Belgian frontier, Metz, Mauberge, Paris, Dan, Valenciennes and Lille are fully prepared for siege. The bombardment of the first named is imminent.

Amiens is threatened by the Prussians, and is preparing for a vigorous resistance.

The national guard gallantly but vainly defended Epinal, and finally fled towards Kentucky. The Prussian forces, who were near at hand in force, gave them no support and fled on the appearance of the enemy, without firing a shot.

There is violent resistance in all French ports, to the shipments of food in any form.

The terrible artillery fire of Fort Mont Valerien has totally swept the country round about for a circuit of six kilometers. The Prussian works have been destroyed. All the batteries the Prussians have sought to erect against Fort Valerien have been annihilated. The Prussian engineers have been driven from Clemont, Mendon and Mont Redout. Ville Juy and Cochem have both been recovered by the French. On the North the Prussians have been driven back as far as Dommeville. The entire peninsula around Grevillers has been freed from the Prussians by several strong cavalry reconnaissance parties, and is now in French hands. Again, on the east of Paris, actively cannonade has been maintained towards the Prussians who have also been driven from Champigny more than three miles east of Vincennes. The Prussian circle around Paris is therefore expanding daily instead of contracting, and the Parisians are greatly encouraged. Demonstrations have lately occurred in Paris favorable to a radical change in the government. Their origin is ascribed to Gustave Florens and Louis Blanc.

FRANCE.
Fecundation in Brittany.

TOURS, 14.—The General commanding the 15th corps, makes the following report:

La Feste, St. Aubin, 13. Yesterday the enemy continued to advance toward Orleans. Our troops who were on the road to Paris and had taken part the day before in the battle at Athens, gave way. A brigade of the third division, who tried to oppose the enemy's advance, being constantly opposed by forces more numerous, and superior artillery, had to fall back on Orleans.

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disputing the ground foot by foot. I was obliged, in order to check the enemy's progress, to go forward personally, with three battalions of the reserves, belonging to the second division. The enemy was checked for three hours but, at last we were broken and overcame by their shells. After very sharp fighting, which does honor to our army, I determined to evacuate Orleans and withdraw to the left bank of the Loire. Our retreat, which was not molested, was effected with coolness and in good order.

VERSAILLES, via BERLIN, 14.—The French have shelled and wantonly fired the palace of St. Cloud. Ten French batteries made a sortie from Paris today; they were easily repulsed by the Second Bavarian Corps, which lost only fifteen men.

Minister Gambetta works constantly with the military chiefs, his first object being the organization of the armed forces of the country. When that has been accomplished he will turn his attention to political matters. The government has issued a proclamation to the people of the provinces showing how the enemy treat the population of the territory they occupy. It charges that they first levy, then take, and finally pillage. The proclamation is to be placarded in all the communes.

An American, just arrived from Brest says the patriotic uprising in Brittany is wonderful. Thousands of men crowd the railroad trains, and are on the way to Tours to obtain arms and enlist; throughout the country the greatest enthusiasm prevails.

The following official dispatch has been received at the Ministry of the Interior: "Metz, 14.—No Prussians are seen in force. They have occupied Metz in force."

ST. QUENTIN, 13.—The Prussians have commenced the bombardment of Soissons; the town is able and prepared to stand a siege.

WHEN YOU'RE DOWN.

What legions of "friends" always bless us,
When golden success lights our way!
How they smile as they softly address us,
So cordial, good-humored and gay.
But oh! when the sun of prosperity
Hath set—then how quickly they frown,
And cry out in tones of severity,
"Kick the man! don't you see he is down!"

What thought when you know not a sorrow,
Your heart was as open as day,
And your "friends," when they wanted to borrow,
You'd oblige, and ne'er ask them to "pay."
What though not a soul your e'er slighted,
As you meandered about through the town,
Your "friends" become very near-sighted,
And don't seem to see you when down.

When you're "up" you are loudly exalted,
And traders all sing out your praise;
When you're "down" you have greatly de-faulted,
And they really "don't fancy your ways."
Your style was "up-top" when you'd money,
So sing every sucker and clown;
But now 'tis exceedingly funny—
Things are altered because you are down.

Oh, give me the heart that forever
Is free from the world's selfish rust,
And the soul whose high, noble endeavor
Is to raise fallen men from the dust;
And when in adversity's ocean
A victim is likely to drown,
All hail to the friend whose devotion
Will lift up a man when he's down.

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(Signed) G. BUNE.
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