

No More Illegal Courts.

By what is set forth in a communication from Judges Kinney and Crosby to his Excellency Governor Cumming, published in the last issue of the *Mountaineer*, it seems that they entertain some doubts as to the way Federal Courts have been appointed and held by their predecessors in office, believing that the power exercised savored somewhat of illegality.

We do not wish at this time to make many comments on that subject, further than, it is unquestionably about time that illegal proceedings in the Courts of Utah were dispensed with, and if the United States judges now here will be sure they are right before they go ahead—and not get involved in difficulties as others have, out of which a Philadelphia lawyer could not have extricated them, if their acts had been tested—they will show a degree of wisdom, not often exercised in Territories by those clothed with federal ermine.

To hold courts, or do any official business, not authorized by law, involves, not only the judges who do so, but all parties interested, in interminable difficulties; and some have been ruined temporally, and others have been deprived of life and liberty by such operations.

If the time has come for such proceedings, by whomsoever instigated or transacted, to cease in this country, it should be hailed with delight by every citizen of Utah, as there will in that event hereafter be no more street decisions, nor chamber humbugs heralded to the world; neither will judges be acting as attorneys for parties litigant as some have done heretofore, not refraining from declaring publicly beforehand what they would or would not do when the matters in question should come before them for adjudication. Such men are unfit for judges, and could not, in some places, be elected to the office of constable.

An Extra Session of the Legislature.

His Excellency Governor Cumming, by proclamation dated October 20th, has called an extra session of the Legislature, to be convened at the Social Hall, in Great Salt Lake City on the 12th day of November next, at 12 o'clock m.

The cause assigned for this movement is, that the Judges of the Supreme Court for the Territory had expressed to him certain doubts as to their authority, under the laws of the United States and of the Territory, to transact any legal business until they shall have been assigned to their respective Districts, &c., &c., which may be, and probably is, strictly correct.

They had also suggested to him that the public interests required that the Legislature should be convened prior to the time provided by law, and requested him to convene an extra session at the earliest possible day, that such action might be taken as the public interests demanded.

The convening of an extra session may be a very judicious movement, but it will inevitably involve some legal questions, which, when assembled, the Legislature may not know precisely how to dispose of to the satisfaction of all; but from the known ability and cautiousness of most of the members elect, there is no danger, with the safe guards provided by law, of there being any thing done not strictly constitutional and in accordance with the Organic Act.

Information Wanted.

William Wright, of Tecumseh, Lenawee county, Michigan, wishes to learn the whereabouts of JOSEPH WRIGHT or any of his family.

Alexander Watson, of the city of Hudson, New Jersey, and agent for John Haven's estate, wishes to learn the whereabouts of the wife of said John Haven deceased, or of the son, WILLIAM HENRY, and a daughter, who left New Jersey with their mother; Mr. Havens left property to be divided among his heirs.

Mrs. Elizabeth Smith, of Beaver, Beaver county, U. T., wishes to learn the whereabouts of her husband GEORGE B. SMITH.

Persons having the information above desired, will confer a favor by forwarding it, at the earliest date, to the parties making the inquiries.

—An exchange, describing the doings at Cleveland on Monday Sept. 17th, says: The procession was very fine, and nearly two miles in length; as was also the prayer of Dr. Perry, the Chaplain.

FOREIGN NEWS.

The latest dates from the Old World, received by Saturday's mail, are from Liverpool to the morning of the 15th, and Queenstown to the evening of the 16th ult. The news is not devoid of interest.

GREAT BRITAIN.

The belief prevails that there will be no general war in Europe, but that some new transaction, like the Villafranca treaty, will take place during the autumn.

The London *Herald* says that the suspensions in Sydney will not affect London firms.

The English attacking party at Martard, New Zealand, consisted of 347 men. The natives laid down on the ground until the men were close upon them, when they sprang up, fired their double barreled guns, and met the bayonet charge of their adversaries with the tomahawk, keeping up a hand-to-hand fight. The retreat of the English was so urgent that their dead and a few of their wounded were left on the battle field. It is also reported that the natives took one gun. Great complaints are made against Col. Gould, the commander of the attacking party, for not calling to his aid an additional force, which were said to be within his reach.

The *Times* says that Victor Emanuel finds a formidable competitor in Garibaldi, whose success appears sufficient to overcome any resistance that can be made by the States of the Church, and which brings him into collision with the Austrian power in Venice. Piedmont must make herself mistress of the revolution, or be content to give up the lead and fellow. There is reason to believe that the Emperor Napoleon sees things from this point of view and that no danger need be apprehended from France.

The *Times* of Monday, Sept. 10, says: "It is understood that the court will leave Balmoral for Edinburgh on the 15th and remain at Holyrood until the 17th, when her majesty and the royal family will proceed to Osborne. It is the queen's intention to embark on the 22d at Gravesend for Antwerp. The royal party will proceed at once to Coburg, where they will be met by the Prince and Princess Frederick William and their infant prince. The queen will probably remain at Coburg ten to fourteen days. Her majesty will visit the King of the Belgians on her return to England."

FRANCE.

The emperor and empress had arrived at Nice, where they met with an enthusiastic reception.

The *Moniteur* announces that the Sixty-second and Sixty-seventh regiments of the line had been dispatched to Rome, and that the French garrison having been thus increased, General Goyon had received orders to return to Rome and resume the command. The monthly returns of the Bank of France show a decrease in the cash in hand of over 18 1-4 millions of francs, and in the discounts a decrease of 11 1-2 millions.

The latest dispatches announce that their majesties had embarked for and reached Ajaccio.

It was reported that France refused to make the slightest concession to Switzerland in the Savoy affairs, Switzerland, therefore, persists more than ever in considering the question one for the decision of Europe.

ITALY.

NAPLES, Sept. 8.—Garibaldi made his entrance into Naples at noon this day, with his staff alone. The joy is intense. A provisional government has been formed.

NAPLES, Sept. 9.—Garibaldi has discovered a National committee illegally constituted, and has ordered the perfect of police to punish its members.

He has consigned the fleet and arsenal of Naples to the charge of Admiral Persani, and proclaimed Emanuel king of Italy.

The dictator has confirmed Romani as minister of the interior, and appointed Arditi director of police, General Cosenz minister of war, and Pisanelli minister of justice.

The capitulation of the forts is expected to take place to-morrow.

The following telegram, dated Naples, Sept. 11th, gives the position of affairs in that capital:

"The tranquility of the town has not been disturbed, and the same enthusiasm still prevails. The Elmo and the other forts have surrendered."

"The English admiral has paid a visit to Garibaldi, and afterwards went on board the Hannibal, the English ambassador being present. On that occasion the Sardinian fleet fired a salute of seventeen guns in honor of the dictator."

The Neapolitan fleet has been delivered by Garibaldi to the Sardinian Admiral.

The Sardinian troops disembarked yesterday, by order of the Dictator.

It is said that the king, in leaving Naples, ordered the bombardment of the town and the burning of the royal castle. It has been asserted that the original of the order has been found. A report is also current that the king will quit Gaeta with his army of 30,000 men, and join Gen. Lamoriciere.

The king has formed a new royalist ministry, the members of which are Caselli, Canofini, Girolamo, and Ulloa. The Austrian, Russian, Prussian, and Spanish ministers, and Papal nuncio, have followed the king to Gaeta.

The whole army of Garibaldi will arrive at Naples in four days, and, with the revolutionary bands, the total force will be 20,000 to

30,000 men. The revolution is everywhere triumphant. It is said that the dictator is about to march to Umbria.

The Bixio and Medici brigades have just arrived in port.

Baron Brenier has not protested against the disembarkation of Sardinian troops.

A proclamation of Garibaldi to the Neapolitans, issued yesterday, has been published; Garibaldi, in this proclamation, says that "the annexation will be effected when he will be able to proclaim it from the top of the Quirina."

The Paris *Patrie* announces that the king of Naples left Gaeta on the 12th inst., in a Spanish steamer, for Seville.

Austria has decided not to receive the Neapolitan fleet into any Austrian port.

The entrance of Garibaldi into Naples was celebrated at Milan in the most enthusiastic manner. The whole city was illuminated and decorated with flags. The very name of the dictator inspires electric enthusiasm. A number of illuminated drums, fixed on long poles, were carried through the streets. The drums bore significant inscriptions, as follows:—"To Rome!" "To Venice!" "Rome, the capital!"

Most cities of Italy celebrated the annexation of Naples.

Baron Brenier, with the personnel of the French embassy, had embarked at Naples, in order to return to Paris. It is also said that the representations of other powers have received orders to quit the kingdom.

The Sardinian troops continued their march into the papal territory, but no serious collision had taken place. General Fanti had been appointed commander-in-chief of the two mobilized corps d'armee.

General Cialdini had entered Fano, making 300 prisoners.

Gen. Lamoriciere had concentrated 8,000 troops at Ancona. It was expected that his line of defence would be attacked by 45,000 Sardinians.

Several powers protested against the entry of the Sardinians into the States of the Church, as an attack upon international rights.

Russia and Prussia, protested in the strongest terms, but would take no other step.

Cavour had issued a note, explaining the new attitude of Sardinia.

It was asserted that the French army at Rome will be increased to 10,000 men.

A Paris telegram to the London *Post*, dated Wednesday night, says the Piedmontese forces are marching rapidly to Lamoriciere's army, and an engagement is expected to take place to-morrow. The emperor and the French government have used every exertion to prevent an invasion of the Roman States. The relations of France and Piedmont are critical.

It was reported that the French minister at Turin was about to return to France. During his absence, a charge d'affaires would administer the affairs of the embassy.

LATER.

The above statement, relative to the withdrawal of the French Ambassador, is confirmed. The Paris *Moniteur* of the 14th, says: In presence of the facts which have just been accomplished in Italy, the emperor has resolved that his minister shall immediately quit Turin. A secretary will remain there to conduct the business of the legation.

The semi-official journal of Turin, the *Opinione*, in an article on the intervention of Piedmont in the Roman states, says that this is not an act of aggression, but one of legitimate defense. It is undertaken with a view to combat foreign intervention, conformably to the policy laid down by the Emperor Napoleon. At Paris they are probably ignorant that the insurrection in the Roman states is simultaneous and general.

The grand desire is to shake off the theocratic yoke, to proclaim the sovereignty of Victor Emanuel, and to constitute Italy. The fruit is ripe and must be plucked. The government of Piedmont will know how to assume the responsibility of these facts in the face of Italy, of France, and of Europe. Europe is called upon to elect between Victor Emanuel and revolution, between constitutional monarchy and anarchy, between the national flag of Italy and the red flag. The alliance with France will not be ultimately damaged.

The withdrawal of the French minister from Turin was regarded by some as a systematic pretext.

According to the Paris *Patrie*, the revolutionary movement in the Marches and Umbria did not extend itself to the inhabitants of those countries.

General Cialdini after having followed the enemy's corps on the road to Ancona, dispersed them, had re-entered Singaglio with 200 German prisoners.

General Lamoriciere had declared Perugia in a state of siege, and had issued a proclamation threatening death, confiscation of property, and a heavy fine against the inhabitants for a mere fracture of the telegraph wires.

Later reports by Pony Express state, that a battle was fought at Castle Fidelto on the 18th, between the Sardinian troops under Gen. Cialdini and the Papal forces under General Lamoriciere, in which the Sardinians were victorious.

RUSSIA AND AUSTRIA.

VIENNA, Sept. 9.

A highly important official telegram from St. Petersburg was received here yesterday. In substance it is as follows:

The Emperor Alexander and his government desire sincerely a perfect reconciliation with Austria.

The good understanding between Russia and

Austria ought never to have been interrupted.

The necessary arrangements for a meeting between the two emperors will be made without delay, and measures will be taken for putting an end to the present state of things, which is no longer tolerable.

LATER.—An interview between the Emperors of Russia and Austria and the Prince Regent of Prussia was to take place at Warsaw on the 1st of October.

Le Nord says that the statement of an alliance between England, Austria and Prussia is false, so far as Austria is concerned.

Preparations were being made at Vienna for the eventuality of a new war in Italy. Additional troops were constantly being sent to Austrian Italy.

It was rumored that Austria had notified France of her intention to concentrate 50,000 men on Mantua and the line of the Po, as a corps of observation, but with no intention of intervening between Sardinia and Rome.

SYRIA.

The French army is still encamped at Beirut.

No open disturbances had taken place.

The arrival of prisoners at Constantinople had excited the populace.

CHINA.

Letters from China state that the whole British force of 12,110 men, with artillery, had reached the rendezvous at Ta-lien-Whan. The commencement of operations was delayed solely on account of the French not being ready.

The delays caused by the French was a matter of serious complaint.

Troubles were expected at Canton should the allies receive a check in the North.

The rebels had taken possession of the city of Lew Kiang, only 25 miles distant from Shanghai.

INDIA.

All fears of famine in the north-west district of India had passed away. Abundant rains had fallen, and there was every prospect of an average crop.

BOWERY.

Sunday, October 21, 10 a. m. — Elder Orson Hyde made remarks upon the types and shadows of the things of God that we see around us every day; alluded to the variety of characters that come into the Church of Christ, and the labor performed by many of the Elders of Israel to save the people. Said he considered it the duty of the Saints to improve their gardens and lands, and make their homes fit for the abode of the righteous. Spoke of the judgments of the Almighty that are to be poured out upon the nations in the last days.

President Brigham Young said the Saints will inherit and possess all things, and no good thing shall be withheld from them. It is frequently told the Saints that all the creations of God will abide the law that is given them, and will be prepared to dwell in the new heavens and new earth. When we speak of law, and of transgression, it is the law of God to man, for redemption will come by man. Every spirit upon the earth that does not confess that Joseph Smith was a prophet of God, is from hell, and every spirit that does confess this is of God. Referred to the lands and property owned by the Saints in Missouri, Illinois, and other parts of the States, all which, he said, they will again receive. Blest the righteous and humble in the name of the Lord.

At 2 p. m. — Elder James D. Ross bore testimony to the truth of the work of God; he was fully satisfied that it was impossible to stop its progress. Reasoned upon the text: "All that the Father giveth me shall come to me, and him that cometh to me, I will in no wise cast out." Said the existence of the Bible, Book of Mormon, and Doctrine and Covenants was the result of a certain cause, and that cause was the existence of the Church of Christ upon the earth.

President B. Young spoke of the conduct of the wicked towards the people of God; briefly glanced at the principle of predestination and the foreknowledge of God; made remarks on the travels of the Church and sufferings of many of the brethren.

Special Election.

In accordance with the notice given by Gov. Cumming, there is to be a special election held in this county and Tooele on Monday the 5th day of November next, to elect a member of the Legislative Council, to fill a vacancy occasioned by the resignation of Hon. Orson Pratt, sen.

—The principal feature in the National Fair at Cincinnati, on Thursday, was the exhibition of steam fire engines, the first premium for which was awarded to the Good Will, of Philadelphia, which threw a stream through an inch nozzle, 265 feet 5 inches.

—Mr. Everett is said to be engaged to be married to a fashionable Southern widow.