

THE EVENING NEWS.

GEORGE Q. CANNON.
EDITOR AND PUBLISHER.

Wednesday, October 19, 1870.

JUDGE SNOW'S OPINION—OUGHT TO HAVE GOOD EFFECT.

In the correspondence which we published yesterday from Judge Snow an excellent argument and legal opinion will be found in relation to the Probate Courts and Naturalization. We were pleased to publish it, as at the present time such an argument is exceedingly timely. There is such a disposition and determination manifested by legal functionaries, who now exercise judicial authority here to strip the Probate Courts of almost all the powers with which they have been clothed, that the opinion of a man of Judge Snow's standing and legal knowledge—the peer in every sense of the word of the men who attempt to make these innovations—is valuable, and will be read with great interest by all the people of the Territory. His arguments respecting naturalization are so liberal and thoroughly republican that they appeal to the good judgment of every patriotic man, and stand out in striking contrast with the narrow, sectarian and anti-republican sentiments which have so recently been enunciated from the Bench in this District.

We recommend the Judge's presentation of the matter of morality, in the questions of a religious and civil character which he asks, to the consideration of our present Chief Justice. They are worthy of his attention. They deal with the question of morality very thoroughly. From them the Chief Justice may gather the idea that a man can be Methodist and believe John Wesley to be the head of the church, and still not necessarily be an immoral man; or he may believe "the revelations of some polygamist prophet," to quote Judge McKean's own words, accept him as the head of the church and reject John Wesley, whom some of his contemporaries called "a canting, old Methodist," and not, therefore, be a man of bad morals. If the Chief Justice is not committed and bound by promise to follow some certain policy, if he is a free and independent officer, who has come here unfettered to administer the laws according to his own sense of justice, then there is broad ground to hope that the discussion of these questions will do him good. If that be his position, he will learn much that will be of great profit to him in his future career, and we know of no reason why he should not make a good, fair, upright Judge, an ornament to the Bench and a credit to the Territory, an officer, in fact, of whom the whole people would be proud.

But if he has got a lariat fastened to him, is curtailed in his liberty, gives decisions in accordance with a pre-arranged policy, or has adopted the views of a certain "ring," then he is beyond the reach of logic, reason and law. His case is hopeless.

We speak thus freely regarding our Chief Justice because we have felt interested in him. The impression which he made upon us was, that if he could keep clear of the entanglements, machinations and prejudices of the "ring," and be independent enough to look with his own eyes, decide with his own senses and act as the Judge of the people, without making invidious distinctions because of religion, he would be an officer who would be liked and respected. Aside from any personal consideration, or any favor to the people, but solely for the Judge's own good, we should like to see him realize our impressions. It would afford us pleasure to see him, and every other officer sent here, take a course that would enable him to maintain his self-respect, so that his future life might not be embittered by the reflection that right and justice had been sacrificed to prejudice and party favor. We knew one Chief Justice of this Territory, who through bad counselors, was led to take a course opposed to the rights of the people, with the expectation that he would gain the applause of the government and nation. He was grievously disappointed, as such men generally are, and when we heard him acknowledge his folly, we thought the lesson his words conveyed might be profitably listened to by some of his successors.

Burying the tomahawk, the sign of the cessation of hostilities between contending Indian tribes, is no doubt a very pacific affair, and very satisfactory to the parties interested; but like everything else connected with Indian life, it needs to be read about in the beautiful and romantic word tragedy of a Cooper, or it is very apt to be divested of half its romance and charm. A somewhat thrilling account of a recent operation of this kind between the Sioux and Chippewas, which took place at Fort Abercrombie, appeared in a late number of the St. Paul Press.

It appears that a council of the chief men of the Sioux and Chippewas was being held for the purpose of settling peace between the two nations. Among those present were two relatives of some Sioux murdered by the Chippewas in 1859. Part of the peace ceremonies

consisted of beating drums and dancing around the two Sioux referred to, and throwing to them precious Indian ornaments as a compensation for their loss. While this part of the formula was being gone through by the Chippewas, the greatest satisfaction was manifested by all witnessing the scene. The propitiatory exercises were closed by the chief Chippewa soldier making a speech, in which the strongest disapproval of the murders was expressed, and then giving to the two mourners all the beautiful bead ornaments with which they were loaded. Instead of this having a palliative effect, as was expected, the two Sioux arose, and, in a contemptuous manner, threw from them all the presents and walked out of the assembly, creating an impression that immediate hostility was their intention.

And now comes the romantic part of the story, which makes it smack strongly of the stories published so often by the religious tract societies, about the wonderfully soothing power of the cross. The narrator of the circumstances, evidently a missionary, says religion was the only thing to be resorted to to settle the difficulty. The ceremonies had been conducted round a mission flag, which had a white ground, adorned with a large red cross; and, says the narrator:

"Speaking to the two Sioux, I made them understand how beautiful was the example of Christ, forgiving on the cross, to persecutors, and even praying to His Father for them, and how that same example ought to encourage us in the practice of the precept which requires us to forgive our offenders, whatever may be the offense."

"When showing to them the flag they had wished me to let them have when they first asked to become Christians, and which was now floating over the camp, in order to bid them remember to act as Christians, they rose, came to shake hands with me, ranged themselves on each side of me to go to see the Chippewas again. The whole assembly was silent to receive and listen to us."

"The two Sioux made a speech, in which they expressed their earnest wish to be excused for having at first refused the presents offered by the Chippewas in the intention of making peace. They said they now wished to make peace with the Chippewas and with every human being, and that in the name of religion they were sincerely forgiving the murderers of their parents and relations."

Immediately after this the preliminaries of peace were agreed upon, and on the following day a treaty was signed to the satisfaction of all concerned.

The above episode of Indian life, if not equal to Cooper, is probably as near the truth as his descriptions were, for the increased intercourse between the red and white men since his day has not tended to improve the former very much. If, however, this story be authentic it shows that converted Indians are superior to converted whites. The latter preach and make a deal of fuss about the cross, but its power over them is exceedingly limited, for, except in rare cases, it would fail to bring about reconciliation where no more than a few cents were at issue, let alone the lives of friends. After all "Poor Lo" is not such a bad fellow, and if this little story of "burying the hatchet" be not made by the religious folks, he can set an example worthy the imitation of his civilized, white Christian brother.

JUDGE HAWLEY'S DECISION—ITS PROBABLE RESULTS.

The decision of Judge Hawley at the court which he recently held at Beaver, that a man who had been condemned to imprisonment in the Penitentiary for an assault with intent to kill, should be turned loose in the community, because the Probate Court had not jurisdiction, is likely to be attended with the worst results. Either desperadoes will be emboldened to commit outrages of every kind with the full knowledge that there is no adequate authority convenient to deal with them, and that if they are arrested and sentenced to punishment, there is a sympathizing U. S. District Judge not very far off to quickly restore them to full liberty; or the people, finding that justice through the courts is but a mockery, will execute it themselves in a summary manner, by shooting down offenders instead of going through the expensive farce of arresting them, keeping them, carrying them to court to have them released with full liberty to repeat their operations whenever their inclinations and convenience lead them to do so.

In a sparsely settled, Indian country like this, where every man has, through necessity, to provide himself with firearms and to learn their use, high-spirited citizens are not likely to submit for any length of time to the threats and assaults of desperate men, or quietly suffer thieves to steal their property. If the courts cannot punish such characters, or if when they have sentenced them, another court decides that they have no right to do so, and justice cannot be obtained, it would be too much to expect that "wild justice," as revenge has been aptly called, would not be meted out by the wronged party.

Is Judge Hawley prepared for such consequences as these to follow such decisions as he lately rendered at Beaver? We do not know that they will follow; for in this Territory the people love law and order too dearly to abandon themselves to such practices because a narrow-minded Judge chooses to rule that the laws of this Territory are void and its Courts without jurisdiction; but, if such results were witnessed, we

should hold Judge Hawley criminally culpable for them, and he might find blood clinging to his skirts. Any man who takes the course which he did at his late court assumes a tremendous responsibility. A man is arrested for an assault with intent to kill; he is tried and sentenced; Judge Hawley appears and says the Court had no jurisdiction, and the criminal goes free! Suppose—and the supposition is not improbable—that this desperado after his release, instead of making an assault with "intent to kill," makes an assault and actually succeeds in murdering a man, who would be responsible for that crime? Could Judge Hawley hope to escape the responsibility? We certainly think not.

[SPECIAL TO THE DESERET NEWS.]

By Telegraph.

Per WESTERN UNION Telegraph Line.

AFTERNOON DISPATCHES.

AN ENGAGEMENT IN WHICH THE FRENCH ARE SUCCESSFUL!

Bismarck's latest Peace Propositions:

NEW YORK.

More fighting.

NEW YORK.—Registration of voters has been going on quietly all day, and but few arrests have been made by the United States officers, for repeating or other previous acts. Commissioner Davenport continues swearing in deputies, inspectors and supervisors to enforce the law on election day.

The corner stone of the new St. Luke's home for indigent Christian women was laid this afternoon by Bishop Potter.

Donohue, lately shot by Connell, is out of danger.

The report of the Evangelical Knowledge society, shows that the society received last year \$45,622, expended \$43,487, published fifteen new books and now has property valued at \$82,242.

The registration to-day amounts to 58,469, being 20,015 in excess of the first day last year.

NEW YORK, 18.—Among the passengers, per the *Manhattan*, arrived to-day, were Samuel Bowles and Jefferson Davis.

The Board of Health to-day issued a protest against the recent letter of Major General McDowell, showing that they had no jurisdiction over Governor's Island, and complaining that obstacles to their suggestions were repeatedly thrown in their way. They believe that if the sick had been removed to Bedloe's Island, a large amount of suffering and death might have been prevented. There have recently been six deaths from yellow fever at the quarantine, and five new cases have been reported.

Three illicit distilleries were suppressed by the revenue officers to-day. The officers were assaulted by the crowd, and in return shot one of the whiskey men, not dangerously.

The *World's* special from London, on the 18th, reports that on Sunday a fresh attack was made on the Germans on the south of Paris, which was not carried on the preceding day. The Bavarians who still held Bagneux and La Hay were taken by surprise in the morning by the garde mobile of the Cafe D'Or. The Bavarians fought stubbornly and the action lasted until one p.m., but they were repulsed.

The French are actively throwing up earthworks and rifle pits in advance of forts Jary and Charenton.

Encounters occurred on Sunday on the Rouen road. The Prussian columns moved up the right bank of the Seine and approached Lapetete. Admeleys was occupied by the ninety-fourth regiment, which, on the approach of the enemy, crossed the river below the bridge to Coudreville. When they passed the Seine they were furiously attacked by the Prussians and were compelled to retreat in disorder.

The *World's* special from London, on the 18th, says a letter from Paris, dated 14th, received by balloon, says the squares and pleasure grounds are planted with cabbages and cauliflower.

There is no anxiety to make peace.

The battle of Lagny resulted in such severe loss to the Prussians that they asked for six hours armistice to bury their dead.

Bismarck's proposal for peace, through Burnside, were, the payment of an indemnity of eighty million sterling, Alsace and Lorraine to be neutral for one hundred years, and then to decide by a plebiscite, their future status, and the Prussians to enter Paris and sign a peace there. The Parisians indignantly refused these terms.

OHIO.

Election returns.

COLUMBUS.—Official returns show that Perry, Republican, has 745 majority for Congress in the first district; Stevenson, Republican, for the second district, has 1,549; Morgan, Democrat, has 2,147 in the thirteenth; Sprague, Republican, has 1,161 in the fifteenth.

CLEVELAND.—The most severe storm of the season occurred last night. Three vessels went ashore here. Of the entire crew two were lost.

FOREIGN NEWS.

SPAIN.

MADRID, 18.—The Spanish government still denies the opening of the port of Barcelona. Roderic declines the portfolio tendered him by General Prim.

GREAT BRITAIN.

Ship destroyed.—Negotiations between the ministers.—They fail to effect a settlement.—Paris to be bombarded immediately.

LONDON.—The ship *Eureka* has been scuttled and burned at Cardiff. LONDON, 18.—It is asserted that Napoleon has ten millions francs secured on the real estate agency of Brown Brothers, of New York. The *Journal de St. Petersburg* says

that Jules Favre, on hearing the Prussian condition of peace through Gen. Burnside, thought they were reasonable, and their rejection is consequently unaccountable.

Messrs. Lucow & Mettnicht had an audience with the King of Wurtemberg and subsequently proceeded to Versailles.

Gen. Berry, with a flag of truce from Bazaine, had an interview with Bismarck, who reported to the King. The result is not known. The *World's* special of London, 18th, says the Queen has been advised by a representative from the Prussian court, to take an active part in the urging of her ministers to make an effort at securing a treaty of peace between France and Germany. The Crown Princess of Prussia has addressed a letter to her mother on the subject, which moved the Queen to intercede with Earl Granville and Gladstone, for action to be taken.

The Prussian minister, at Brussels, sent despatches yesterday to Count Bernstorff, which led to an interview with English foreign minister. Similar quests were addressed to Granville by the representatives of France, Austria, Russia, Belgium and Holland. In response Granville, to-day, saw all the French, Spanish and Dutch ministers. It is said, to-night that the French, Spanish and Dutch ministers have united in protest against any change in the existing territorial arrangements of France, Holland and Belgium.

LONDON, midnight. The negotiations at Brussels between General Burnside and others have resulted in a total failure. The foreign office was informed of the failure and accordingly abandoned all hope of a settlement. The bombardment of Paris will commence immediately. The siege guns were posted yesterday.

ITALY.

FLORENCE, 18.—The Italians complain that the foreign governments are tardy in instructing their ambassadors to recognize the new order of things at Rome. The Italian government will shortly make this a subject of earnest remonstrance. A Papal bull is soon expected, dissolving the Ecumenical Council, on the ground that there is no place where it can be held.

FRANCE.

TOURS, 18.—In the absence of any representative of the United States in Tours, the French government requests the press to make known to the American government and people, its extreme desire to make a new postal treaty between the two nations, and that it would be glad to receive a special envoy from Washington with whom negotiations might be conducted to that end.

More favorable news has been received from Paris: A bridge has been thrown across the Seine, by which independent communication is established between forts Valerien and Jury. The mobile guards continue to make successful sorties. Reports from official and private sources show that the bands of sharpshooters in all parts of the country occupied by the enemy are becoming more and more effective, and cause much annoyance and damage on the German lines of communication.

Official information states that franc-tireurs, after a successful engagement, have occupied Melun.

No official intelligence from Orleans has been made public to-day; strategical movements in that direction are on foot.

A private dispatch from Chateau Andor, to-day, reports that shells have been thrown into the town this afternoon.

A telegram from Dijon, to-day, announces that Vesoul is occupied by the Germans.

Correspondence.

SALT LAKE CITY, Oct. 18th, 1870.

Mr. Editor.—As the semi-annual declaration of Zion's Co-operative Mercantile Institution for the six months ending Sept. 31st, has been decided, it may not be amiss to speak of its success, and the advantages that have accrued to the people at large. Its advantages have grown with its growth, strengthened with its strength, until it has become a creature of creative sources of employment for vast numbers of persons who to-day, are sustained by the demands the institution has opened up. It has been her study while thus employing so many and holding so much of the staff of life in her hands, to permit no undue speculation in breadstuffs and its kindred necessities. In this respect it has afforded its artisans the lowest priced food, and it has also made its due bill—an unusual thing heretofore—the equivalent of cash.

It is frequently charged with its want of interest in our home productions. This statement is incorrect, simply because people are not informed. Let us enumerate some of its manufactures: Boots and shoes, leather, hats, clothing, this will be largely increased as circumstances will permit, trunks and valises, furs, cloths, yarn, woolen and cotton soap, corsets, netts, ladies hats, shirts and shirt bosoms, hoops, flowers, gloves, (this last named they have sent to the East bearing the name "Salt Lake Driving Glove," for the making of which articles, in some instances, the material has been imported, but forty thousand dollars have been paid out to the home artisan. But she has not capital to encourage every branch of the above enumeration. Neither can she superintend all of these branches of industry, and such is her demand for quantity that the straw hat made at leisure will not do. She wants some man to-day to be gathering the straw this winter, have it plaited, sewed, packed, marked and ready for delivery on demand next season. Who will do this and its dozen of similar enterprises? Men and women complain of importations by Z. C. M. I., yet she has shown her helping hand, even in the articles needed in one, the Retail Dry Goods Department, to the amount of \$2,000 paid out for wages for the six months ending September 30th, 1870. And if the trades wish this order of things enlarged, let them come with their samples, their prices, the time they will deliver a given quantity in, and the institution will purchase freely. But she cannot do all alone. Nor has she been asleep as to exports. She has looked for markets, east and west, and has found them for our ap-

ples, ground cherries, eggs, butter, potatoes, onions, oats and barley.

Is she not, therefore, entitled to the support of all who truly love our Mountain Home? And should not the coffers be unlocked to increase her working capital, when such beneficent results are recorded? And, if some complain it enriches a few already rich, Z. C. M. I. says, to-day, Swell our numbers by your paid up shares, and come in all who want to, and participate.—Items.

Died:

At 9 o'clock p.m., yesterday, October 18th, 1870, of typhoid fever, Maria West Gunnat, wife of John M. Gunnat, of the 15th Ward in this city. Funeral will take place at the residence of the deceased to-morrow, Thursday, at 10 o'clock in the morning. The attendance of friends is requested.

NEW ADVERTISEMENTS.

SALT LAKE THEATRE.

Doors open at 7.30. To Commence at 8.

WEDNESDAY EVENING, OCTOBER 19, 1870.

UNDIMINISHED ATTRACTION!

NEW PLAY! NEW PLAY!

SCREAMING FARCE!

NEW AND EFFICIENT ORCHESTRA!

Will be presented, Frederick Phillips' original Play, never before acted here, in 3 Acts, entitled,

A BIRD IN HAND

WORTH TWO IN THE BUSH

With an Immense Cast.

To conclude with the Screaming Farce,

MARRIED RAKE!

With an Excellent Cast.

REDUCTION OF PRICES:

Second Circle, Front Seats, 75c., Second Circle, Back Seats, 50c., Third Circle (all parts) 25c. Other parts of the House will remain as before.

BOX OFFICE open for the Sale of Tickets on the Day of Performance at 11 o'clock.

Rocky Mountain FURS.

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HAVING just finished the manufacture of our celebrated

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WANTED A limited number of Gentlemen's SOCKS.

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The undersigned is now running a

Daily Line of Stages to Prove

and Tri-Weekly to Fillmore.

On and after JULY 1st, 1870 there will be run in connection, a

Tri-Weekly Line of Stages to St. George and the celebrated

Meadow Valley Mines.

Connections made with Stages for

Tintic and Sevier Mines, San

pete and Arizona.

The road is newly stocked with Good Horses,

and New Coaches, Good Meals and Accommodations all along the line. Time to St. George and Meadow Valley Mines, 48 hours.

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Boards,

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\$32.50 PER 1,000 FEET!

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3½ CENTS PER FOOT,

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SUGAR PINE, CLEAR-SEASONED

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(4 x 1½ inch.)

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