

ing of the papers, ex-Senator Stewart opened for the defendant in an able argument lasting four hours, during which he made, among others, the following points: First, that title had never vested in the complainant, because it had failed to file a map in the office of the Secretary of the Interior, as required by his charter, it appearing that the map, instead of being a map from Marshall, Texas, to San Diego, Cal., was only a map of the route from El Paso to San Diego, being less than half the distance. Second, that the action of the Secretary of the Interior in withdrawing the lands was a nullity, for the reason that no sufficient map of the line of the road had been filed, as required by the complainant's charter. Third, that the building of the road was a condition precedent to the acquisition of any title by the complainant, to build roads through the granted land, and was not sustained by the terms of its charter. Fifth, that the Southern Pacific Company had a right to build its road under and by virtue of a right of way granted under the act of Congress of March 3, 1875, it having complied with the conditions of that act. Sixth, that the rights of the Southern Pacific were secured because at the time of the passage of the act of 1875, the land claimed by complainant was public land, for the reason that it had not secured the withdrawal by complying with the conditions precedent contained in complainant's charter. Seventh, that dependent of the act of 1875, the Southern Pacific had a right to acquire a right of way through the lands, under and by virtue of the twenty-first section of complainant's charter which provides for other companies crossing the road of the complainant and gives them a right of way, 200 feet wide; eighth, that the Southern Pacific has a right to condemn the lands of the complainant, if it has any under and by virtue of its charter obtained from the Territory of New Mexico; ninth, and lastly, the complainant has no remedy in equity, conceding that the franchises and grants are still valid, for the reason that it has stood by with full knowledge of the construction of defendant's road, and allowed it to be built and completed without objection on its part, and by its silence and acquiescence has virtually consented to the construction of the road, as shown by the correspondence between the officers of the two companies, agreeing upon a plan for a change of business, whenever their roads should connect at or near El Paso. The learned counsel cited numerous authorities in support of the foregoing propositions.

At the conclusion of Senator Stewart's argument, Judge Herman, solicitor for complainant, commenced his opening, and is still occupying the floor, most of his time being consumed in reading authorities in support of the proposition that the complainant has exclusive privileges, and alone has the right to build railroads along the thirty-second parallel of north latitude and within the eighty mile limit of the complainant's grant. Upon the conclusion of his argument, Judge Harvey Brown will address the court in behalf of the defendant.

CHICAGO, 1.—The south-bound passenger train on the Chicago and Eastern Illinois Railway, collided with the Grand Trunk north-bound freight near Kensington, eighteen miles south of here last night, owing to a misplaced switch. The engine of the passenger train was wrecked, and the baggage car telescoped into the smoking car, kiling and bruising nineteen people. Engineer Frank Hazen was caught in the wreck and will probably die from lacerations and bruises. Jacob Kurgess, United States gauger, living at Bloomington, this county, had both legs broken. He cannot recover.

NEW YORK, 1.—Herald's Paris: A sensational telegram to the *Intransigent*, this morning, announces that Kremlin is in flames. Fire is said to have broken out in three places simultaneously, and the barracks are already destroyed. Rochester's paper adds that placards announcing the destruction of Moscow had been posted on the walls of the city for several days past. Russian authorities are said to be trying to hush the news of the disaster.

In the Commons in committee on the land bill, last night, by amendment moved by the attorney-general of Ireland, the definition of "fair rent" was omitted from clause seven. An amendment offered by Lord Russell, requiring the court to have regard in fixing statutory rents to the interest of both landlord and tenants was accepted by the govern-

ment and carried. Lord Russell's amendment disposing of the most disputable point in the seventh clause. Gladstone yesterday somewhat modified his previous declaration concerning the inviolability of leases by the statement that some relief should be given to the lease holder, also subjected to undue pressure. How this is to be done is reserved for future consideration. Gladstone favored quashing unjust leasing. This concession saved an obstructive debate, which Irish members seemed inclined to raise.

Herald's Mitchellstown: The evictions to-day passed off without trouble, being carried out by a strong column of military and police. Trees had been felled across the road in two places which necessitated the assistance of a small body of royal engineers, which were present. The doors of some of the tenants had to be forced. In every case the rent was paid on the spot. All the tenants were on the estate of the Countess of Kingston. After the troops had returned to town two companies of police marched up Main Street with the object of dispersing a large crowd which had gathered on the street. There was some stone throwing and the constables used their batons freely. The resident magistrate, Mr. Eaton, in person went up and down the street warning the people, and the colonel commanding the troops sent down word that he would send them out if desired. This offer Mr. Eaton wisely declined. Had the soldiers come many lives might have been lost. As it was there were only a few broken heads. All the windows in the street were crowded with shop girls, who seemed to thoroughly enjoy the little excitement. All the public houses have been closed to-day, with a view to prevent the corner boys from getting any fighting whisky. The town became quiet after the constabulary had been marched off to the barracks. Near one of the tenant's houses a bridge crossing a stream had been destroyed over night, but the company of constabulary which was advancing, simply walked through the water without a moment's delay. In all some half dozen tenants were made to pay, all their subterfuges or attempts at delay being useless, especially toward the end of the day when the sheriff's temper, hitherto wonderfully controlled with much tact, began to rise owing to the doors being barred against the enemy, the bailiff. All visits, however, passed off without trouble, owing solely to the presence of the force of cavalry and infantry, which is at Kilmallock, completely prevented any serious resistance. A Herald correspondent was among the crowd on the start, while the police were charging with batons. He got hustled about and escaped being clubbed by mere chance.

NEW YORK, 1.—The World: Gen. J. G. McCullough, vice-president of the Panama Railway Co., said yesterday that the De Lesseps Canal Co. had agreed to take the railway stock on the basis of \$250 a share, and that the cash assets now in hand and bills receivable are to be turned over for division among the stockholders. This will make each share of the stock worth about \$290, or possibly \$300. As soon as the contracts and other documents arrive, which will probably be on the 6th or 7th of July, and have been duly signed, the stockholders are to deposit their stock with the Union Trust Company, which will issue certificates. The American committee is to deposit \$4,000,000 with the Union Trust Company to-morrow, and the remainder of the purchase money, \$13,500,000, to be divided into five equal shares and paid in five equal annual installments.

FOREIGN.

LONDON, 29.—The murder on the London and Brighton road, on one of the most frequented lines leading out of the metropolis, excites the keenest interest. Lefroy told a strange story to the railroad officials, how after leaving Croydon he heard a shot fired and felt a blow on his head, upon which he became insensible, and only recovered consciousness on reaching Preston Park. When he recovered he found himself the only occupant of the compartment, with a pool of blood at his feet. He could not tell who fired the shot, but had an impression that it was an old gentleman who sat opposite to him. Lefroy was taken to the police office at Brighton, when he gave the above particulars, and afterwards had his wounds dressed at the county hospital and was permitted to leave for his home.

The murder of Gould on the London & Brighton Railway, excites an intense interest. His real name is Lefroy; who is suspected of being Henry Mapleton. He eluded the police and is missing. The murdered man, Gould, was in the habit of traveling on the train in question. Some articles such as Hanoverian tokens were found on the person of Lefroy, and also beside the murdered man, which is thought will implicate Lefroy.

Now that the land bill is safe, so far as the House of Commons is concerned, and that law and order are being restored in Ireland, radicals are turning their attention to great domestic reforms, upon which they have turned their hearts.

The assimilation of the borough and county franchise will be a comparatively easy job. Tories, who approved of Disraeli's reform bill of 1867, cannot logically resist its application to the agricultural laborer, nor would it be prudent for the Tories to attempt to defeat such a measure. The laborers are now bound together in Unions, and swayed by a central committee, comprising men who are wise and vigorous leaders. It is contended that they are illiterate and, therefore, unfit to exercise the franchise, but they may truly answer that the fault is not theirs but the squires and parsons. As regards education, however, they are not one whit behind tens of thousands of that "Residuum" which Disraeli was not afraid to entrust with power. The most important part of the great question of reform will be the redistribution of seats. Fifty years have elapsed since Lord Russell put his hand to that work and wiped out some anomalies of representation. Boroughs which were given a member under that scheme have meanwhile grown into populous towns. New towns have sprung up which are now wholly unrepresented and suburbs of London and other cities have themselves become cities in point of population.

The radicals hope to annul, to some extent, the large influence wielded in many constituencies by wealthy landholders. In other words by the House of Lords. Grampound, Old Sarum and constituencies of that ilk, have passed away, but the power of territorial plutocracy is still, in very many places, unbroken. Thus North Allerton, in Yorkshire, is practically controlled by the Earl of Harford. The Earl of Egmont really keeps Little Sussex, borough of Midhurst, in his pocket. Earl Fitzwilliam, has a controlling influence over Malton, in Yorkshire. The Marquis of Alesbury is a power at Marlborough. The Earl of Powis at Ludlow, Earl of Litchfield at Litchfield; Earls of Sefton and Derby in southwest Lancashire; Duke of Devonshire in the counties of Cork and Waterford, and in several English counties; Lord Monson in Surrey and so on. The radicals, of course, expect the opposition not only of the Tories, but of the territorial party in the Commons. But if Gladstone brings in the measure next session his large majority will drive it through the Lower House, and the Upper House will think twice before its rejection. Reform is franchise and representation is always popular.

Parnell has a two-fold object in visiting the United States in the autumn, to wit: To pass the hat and induce the skirmishers on your side to moderate their blood-thirstiness. The utterances of O'Donovan Rossa's paper, and of other journals of that stamp are cabled over here every week, greatly to Parnell's embarrassment. One of these dispatches reports a skirmishing journal as saying, "Without some kind of fight or skirmishing outside of Ireland to back up what Parnell is doing and to draw off his enemies' attention from his peaceful and constitutional agitation, that agitation will collapse." This forces upon Parnell an alliance utterly ruinous to his power and influence.

CITY OF MEXICO, 29.—The Governor of Niborelos is informed officially that the accident on the railroad was caused by the circumstance of an officer who apprehended the desertion of the soldiers, compelling, with pistol in hand, the engineer to go forward in spite of the opposition of the latter, made on account of a heavy rain and complete darkness. Both were saved. Among the dead are 17 women and five children.

Gen. Diaz, Secretary of Public Works, has resigned. Gen. Pacheco, governor of Federal district, will take his place.

CONSTANTINOPLE, 29.—When the counsel for the defense had concluded arguments to-day, the judges decided Irrestier Mustafa, Asingent

Fabri Bey and Hadi Mehemed were guilty of murder, and that Ali Bey, Nedjob Bey, Midhat Pasha, Nouri Pasha and Mohmed Pasha were accomplices, being privy to the crime. Sentence will be pronounced to-morrow.

Oran, 29.—Arabian spies report Bonamana, a rebel chief, has murdered Zouaves and Chasseurs whom he captured, and spared only 33 of the Spaniards whom he took prisoners recently near Salda.

Dresden, 29.—An official journal publishes the ministerial order by which, in virtue of socialistic law, any one suspected of imperilling the public peace, may be refused the right of residing in Leipsic or suburbs.

Pesth, 29.—Of the 298 deputies elected to the Hungarian Diet, 174 are ministerialists, 63 independents, 44 moderate oppositionists, 8 nationalists, and 9 belong to no special party.

Paris, 29.—It is said that the Bulgarian government exercised the wildest terrorism during the elections.

PUBLIC LAND SURVEYS.

DEPARTMENT OF THE INTERIOR.

UNITED STATES SURVEYOR GENERAL'S OFFICE, Salt Lake City, U. T., June 30, 1881.

The following township plats and descriptive lists, showing the subdivisive surveys executed by Ernst Buettner, U. S. Deputy Surveyor, under his contract No. 96, embracing the arable timber and coal lands in the Colorado and Dolores River basins, were this day filed in the Local Land Office, in this city, viz:

Township 22 South, Range 24 East,	
" 24 "	23 "
" 25 "	21 "
" 25 "	25 "
" 25 "	25 "
" 25 "	26 "
" 26 "	21 "
" 26 "	22 "
" 26 "	25 "
" 27 "	25 "
" 27 "	25 "
" 28 "	24 "
" 29 "	25 "

FRED. SALOMON, U. S. Surveyor General.

LOCAL AND OTHER MATTERS.

FROM SATURDAY'S DAILY, JULY 2.

Highwaymen.—On Thursday night, a man named Absalom Yates, of this city, in the employ- ment of Captain Douris, at E. T. City, was on his way to Salt Lake in a wagon, for the purpose of drawing his pay, when three masked robbers stopped him on the Jordan range, and while one held a pistol to his head, the others "went through" his pockets. They took from him \$3 in cash, all the money he had, and a watch, and then suffered him to proceed on his way. He reached here about midnight. The robbery occurred about 10 p.m., and it was so dark that even had the robbers not been masked, it would have been difficult to obtain any definite idea of their personal appearance.

The Presidents' Tour.—Presidents John Taylor and George Q. Cannon, Apostle Wilford Woodruff, Patriarch John Smith, and Elders George Reynolds and Geo. F. Gibbs, returned yesterday from a preaching tour through Davis and Weber Counties, upon which, with President Joseph F. Smith, who came back on Wednesday afternoon, they started last Sunday morning. That day they held meetings at Bountiful and Farmington, and on Monday at Hooperville and Alma (West Weber). At Hooper they were joined by Apostle F. D. Richards. On Tuesday they met with the Saints at North Ogden and Plain City, at the latter place being received by a procession of the people and Sunday School children, headed by the brass band. The next day meetings were held at Harrisville and Lynne, and on Thursday at Eden and Huntsville. At Eden a procession headed by the martial band, under the direction of Marshal James A. Thompson, formerly of this city, met the party and escorted them to their destination. At Huntsville the people congregated on either side of the street through which the party passed.

The following day (yesterday), they returned to this city. The meetings at each settlement were very well attended, and a great deal of valuable instruction was imparted to the people. An excellent spirit prevails throughout the two

counties, and matters seemed to be generally prospering.

FROM TUESDAY'S DAILY, JULY 5.

The Glorious Fourth. The 105th anniversary of our nation's birthday, though devoid of the usual noisy jubilation, was quietly and happily spent by the citizens of Salt Lake, in a variety of interesting ways. The abandonment of the celebration at Liberty Park, which had it not been for the lamentable occurrence at Washington, would have been such a splendid success, left everybody free to choose his next favorite method of passing away the day. A great number of people, especially the members of the 11th Ward, went down to Liberty Park, and spreading their tables under the shade of the beautiful grove, ate their pic-nic and spent a quiet, peaceable time in that vicinity. Hundreds and hundreds of others took the trains for the various resorts on the shores of the Lake, and occupied the day in bathing, yachting and other recreations common to those localities. Quite a number visited the pleasure gardens and farms in and around the municipal suburbs, while others took teams and explored the cool canons north and east of the city. The usual number remained at home, resting quietly in their own residences, or making friendly calls upon their acquaintances. Everything passed off peaceably as usual, and although the streets were alive with pedestrians and vehicles, from morning till night, nothing of a seriously unpleasant nature occurred anywhere. The usual number of small mishaps from fire-crackers and other explosives took place, and one or two from other causes, but we have not learned of any severe accident happening, for which blessed immunity we all have cause to be thankful.

A prevailing sentiment expressed on all sides, was a profound sympathy for President Garfield, and the most earnest and genuine hopes were uttered for his speedy recovery from his present critical condition.

A Splendid Invention.—This morning we had the pleasure of examining a machine known as "Russell and Company's Traction Engine," manufactured by this firm at Massillon, Ohio, and imported to this Territory by their agent, Mr. L. B. Mattison, of this city. The one exhibited had been purchased by Mr. W. D. Roberts, of Provo, and was on its way to the depot, to be shipped to that place, probably by tomorrow's freight train. The Traction Engine, so named from its powers of locomotion and drawing, is used to run the Massillon Thresher. It not only operates the machine, but moves it from place to place, without the aid of horses. In fact it is designed to supersede horsepower entirely. The one shown this morning weighed 7,200 lbs., is of ten-horse power, and cost \$1,925. It is of convenient size, very neatly constructed, and elicited remarks of commendation from one of our leading machinists, and others of experience in such matters. It is claimed that it does its work in half the time, and obviates about half the expense incidental to ordinary processes of threshing. It ascends or descends hills with comparative ease, its speed being governable either way. It climbed Theatre hill this morning under 50 lbs. of steam, and is capable of 80 lbs. pressure with safety. It is called a 10-horse power engine, but is really equal to the strength of 12 horses.

Christopher Layton, Esq., of Kaysville, has purchased one of the engines for use on his extensive wheat farm in that locality. Others are contemplating similar investments. If the engine will do what is claimed for it, it will become very popular among the farming districts.

CAN'T PREACH GOOD.

No man can do a good job of work, preach a good sermon, try a law suit well, doctor a patient, or write a good article when he feels miserable and dull, with sluggish brain and unsteady nerves, and none should make the attempt in such a condition when it can be so easily and cheaply removed by a little Hop Bitters. See "Truths" and "Proverbs," other column.

HARNESSES.

I carry in stock a full line of Concord Harness of California make; every strap warranted Oak tanned, L. B. MATISON.