

The suppression of the royal guard is ordered, and that of the Council of State is expected.

It is asserted that the United States, France, England, Belgium and Switzerland will soon recognize the republic of Spain.

Saragossa is practically blockaded by the insurgents and insurrectionists.

It is rumored that the royal palace will be converted into a museum and academy of art.

Revolutionary juntas which have long existed in the provinces are dissolving.

The Spanish banks have offered financial aid to the ministry.

PARIS, 16.—Barcelona has hoisted the flag of the federative republic. The authorities and troops maintain order in the city. It is apprehended that the question of the federative republic will give rise to serious complications. The peasants of Andalusia are clamoring for a division of property.

The trial at Douay, of the men accused of rape and murder, terminated in a verdict of "guilty." The prisoners were sentenced to various terms at hard labor. The longest term was twenty years.

LISBON.—The Government has asked the Cortes to call out immediately 9000 men of the reserves, to act as an army of observation on the frontier.

It is stated that Victor Emanuel, being opposed to his son's addiction at first refused to consent to the return of Amadeus to Italy; but sent word yesterday, on reflection, that he had relented, and would be glad to receive him again.

The British squadron in the Tagus has been placed at the disposal of the ex-king.

Salmenon, minister of the colonies, read an official telegram from the authorities of Havana giving in their adhesion to the republic. The Assembly thereupon adopted a resolution, that it heard the announcement with joy.

A steamer has been sent to Minorca to bring home the Republican prisoners.

LONDON.—A special dispatch from Paris to the *Daily Telegraph* says France will attempt to compel Spain to sell Cuba, and that the United States had offered 2,500,000,000 francs, payable in two years, but Spain had refused.

ROME.—The carnival has been brilliantly inaugurated.

PARIS, 16.—Castelar has sent a dispatch to the Spanish residents of Paris, which clearly intimates that the new government is resolved not to part with Cuba, and to keep the Spanish flag on a portion of American territory as a pledge of perpetual union between the old and new worlds.

ANTWERP, 17.—The Common Council of Antwerp has voted forty millions to enlarge the docks and to construct piers.

MADRID, 15.—Notwithstanding other very important matters pressing upon the government their attention has already been given to the subject of maintaining the authority of Spain in Cuba.

In the assembly bills have been read granting amnesty to prisoners charged with complicity in the recent republican demonstrations, and declaring that justice shall hereafter be administered in the name of the people.

The minister of finance declared that the financial obligations of Spain shall be respected. The declaration was greeted with cheers. He said a republican government was interested in maintaining the credit of the nation, and respect for the right will be its motto.

VIENNA.—Prince Anasaperge, president of the council, introduced an electoral reform bill into the Reichsrath to-day. It provides for the direct election of the members of the lower house, and for an increase of their number. The bill was referred.

## WEST INDIES.

HAVANA.—News of the abdication of Amadeus and the proclamation of the Spanish republic was published this p.m., and had the immediate effect of unsettling business and advancing premiums for gold to 23 per cent. There were no sellers. Ceballos will issue a proclamation on the new condition of political affairs, declaring that everything will remain as hitherto respecting Cuba's relations with Spain, and he as well as other Spanish officials will obey whatever government is constituted in Spain. The most intense excitement exists among the people, the city however is tranquil.

## A BILL

*In aid of the execution of the laws in the Territory of Utah, and for other purposes.*

[Presented in the Senate of the United States, February 6, 1873, by Mr. Frelinghuysen; read twice, referred to the Committee on the Judiciary, and ordered to be printed.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States marshal of Utah Territory may appoint deputies in each of the judicial districts of said Territory. Said deputies shall be authorized to enter upon the discharge of their duties upon the approval of such appointment by the judge of the district court of the district for which each is appointed; and said deputies shall take and subscribe the same oath prescribed by law to be taken by the marshal, and give bond, with good and sufficient sureties, to said marshal in the penal sum of ten thousand dollars, conditioned for the faithful discharge of their duties as such deputy; and said appointment, approval, oath, and bond shall be entered upon the records of said court.

Sec. 2. That it shall be the duty of said marshal, in person or by his deputies, to attend the district and supreme courts of said Territory, and serve and execute all process, orders, judgments, or decrees issued, rendered, or directed by said courts or by any judge thereof.

Sec. 3. That the United States district attorney of said Territory may also appoint assistants in each of the judicial districts of said Territory: *Provided*, That before any such assistant shall enter upon the discharge of his duties his appointment shall be approved by the presiding judge of the district court of the district for which such appointment is made, and said assistant shall take and subscribe to the same oath prescribed by law to be taken by the district attorney; and said appointment, approval, and oath shall be entered upon the records of said courts. Such assistants shall receive the same fees and emoluments as the district attorney would be entitled to for the same service.

Sec. 4. That it shall be the duty of said district attorney, in person or by his assistants, to attend all of the courts of said Territory and perform the duties of prosecuting attorney in all criminal cases arising in said courts.

Sec. 5. That only male citizens of the United States, over the age of twenty-one years, shall be competent to serve as grand or petit jurors in said Territory.

Sec. 6. That the grand jury of said Territory shall consist of fifteen good and lawful men, twelve of whom concurring may find and return a bill of indictment.

Sec. 7. That whenever a district judge of said Territory shall determine that a grand or petit jury will be needed at a term of his court, the said judge, and the United States marshal shall make a list in writing of one hundred male citizens of the United States residing in said Territory, and shall affix thereto their certificate to the effect that the same is the list from which the grand and petit jurors are to be drawn for the ensuing term of the court, and shall cause the same to be filed in the office of the clerk of said court; and whenever the judge shall order the clerk to issue a venire, the clerk in the presence of the said judge and marshal or his deputy shall write the names contained in the said list, each on a separate slip of paper, all the slips being of the same size and kind, and shall fold them uniformly so that the name written thereon shall be concealed, shall then place them in a covered box and thoroughly mix and mingle them, and shall then draw therefrom the requisite number of names. If a grand jury be required, it shall be drawn first. Both grand and petit juries thus drawn shall consist of the same number of men as are required in the circuit and district courts of the United States. The clerk shall make a list in writing of the names of the persons constituting each panel so drawn, and the clerk, and marshal shall affix thereto their certificates of the time and place of such drawing, and file the same in the office of said clerk, who shall forthwith issue a venire to the said marshal, commanding him to summon the men so drawn to attend and serve as such jurors at the time and place previously designated by the said judge, and such jurors shall constitute the regular panel for such term of the court for all cases, whether arising under the laws of the United States or under the laws of said Territory. If at any time talemens shall be required, their names may be drawn from the said box by the clerk in open court, or they may be summoned from the bystanders or from the vicinage as the presiding judge shall direct. No challenge shall be allowed on the ground that a juror had been summoned or had served at a previous time of court. Each party, whether in civil or criminal cases, shall be allowed six peremptory challenges. In criminal cases the court and not the jury shall pronounce the punishment under the limitation prescribed by law.

Sec. 8. That in all suits or proceedings at law or in equity wherein the United States are neither a party nor interested, costs may be taxed against and collected of the proper parties, under the direction of the court or of the clerk thereof, and the collection thereof enforced by execution or attachment against the property of the party. The fees of the jury shall be advanced by the winning party, but may be recovered back as a part of the costs in the case.

Sec. 9. That the United States attorney, United States marshal, and each grand and petit juror, shall receive for his services in criminal cases or proceedings arising under the laws of the Territory, the same fees or compensation as are allowed for like services in criminal cases or proceedings arising under the laws of the United States, and such fees or compensation being ascertained by the court or judge before whom these

vices are rendered, or, in case of the attorney and marshal, by the supreme court of the Territory, shall be paid to the said attorneys, marshal, and jurors respectively from the territorial treasury on the thirtieth day of June and thirty-first day of December in each year.

Sec. 10. That whenever marriage in said Territory of Utah rests solely on the contract of the parties followed by cohabitation, there being no form, manner, or ceremony prescribed therefor by the laws of said Territory, or requiring any record, certificate or publication of the same, in such case in all prosecutions for bigamy, polygamy, or adultery, it shall not be necessary to prove either the first or subsequent marriage by the registration or certificate thereof or other recorded evidence, but the same may be proved by such evidence as is admissible to prove a marriage in other cases, and proof of cohabitation by the accused with more than one woman as husband and wife, his declaration or admission that such women are his wives, his acts, recognizing, acknowledging, introducing, treating, or deporting himself toward them as such, shall be admissible as evidence.

Sec. 11. That in all cases or proceedings when imprisonment may be ordered, if there be no jail or prison in which the person to be imprisoned can with safety be kept, the court or judge may order such person to be confined in any military prison or camp of the United States in said Territory, and the officer or person in command of such prison or camp is hereby authorized and required, on the order of the court or judge, to receive and safely keep such person until he shall be lawfully discharged from custody.

Sec. 12. That if the United States marshal, or any of his deputies, shall be resisted, or threatened with resistance, in the execution of any writ, order, process, judgment, or decree of any court or judge of said Territory, said marshal, or either of his deputies, may, if, in his judgment, assistance is necessary, apply to the commander or person in charge of any military camp or post of the United States in said Territory, or to any one having charge of troops of the United States therein, for a posse to aid such officer, and, upon such application being made, the commander or person in charge of such military camp, post, or troops is hereby authorized to detail a sufficient number of men to enforce the writ or other process, which is being, or is threatened to be, resisted; and said marshal, or either of his deputies, may make application for such assistance when necessary to suppress any mob, riot, or other disturbance of the peace.

Sec. 13. That it shall be the duty of the governor of said Territory, so often as it shall appear necessary, to inspect, or cause to be inspected, the jails or other prisons in said Territory, and the manner prisoners are held, treated, and imprisoned therein; and the governor shall make rules for the regulation and government of said jails and prisons; and he is hereby empowered to remove the wardens and keepers of all jails and prisons or other officers connected therewith, and appoint others in their stead, as often as, in his opinion, the public good shall require.

Sec. 14. That no alien living in, or practicing bigamy or polygamy, shall be admitted to citizenship of the United States.

Sec. 15. That in the absence, or in case of sickness or other disability, of any of the judges of said Territory, or for any cause whatever which renders it necessary, it shall be competent for either of the judges to hold court in any of the judicial districts of said Territory; and it is hereby made the duty of said judges, upon the request or direction of the governor of said Territory in writing, setting forth the reason and necessity for such request or direction, to proceed to the district designated and hold the terms of the court therein until such necessity shall cease.

Sec. 16. That the probate judges and notaries public in said Territory shall be appointed by the governor, be subject to removal by him, and shall hold their offices for the term prescribed by law, or until their successors are appointed and qualified.

Sec. 17. That an appeal by any party aggrieved shall be allowed from all final decisions, orders, judgments, or decrees of all inferior courts in said Territory to the district court of the proper district; and in correction of the proceedings of such inferior courts of said Territory, and to prevent and correct abuses by the same, the district courts of said Territory are hereby authorized to issue writs of error, certiorari, mandamus, injunction, prohibition, and quo warranto; and in all cases of appeal from one court to another, where a bond or other security is required to be given by the party appealing, it shall not be lawful to demand or exact of such party the payment of costs adjudged or taxed against him until the appeal shall be finally disposed of by the appellate court; and the supreme court of said Territory may make rules and regulations as to the mode and manner of taking and perfecting appeals from one court to another in said Territory, and the security, if any to be given in such appeals, so that the just rights of the parties may be secured and preserved.

Sec. 18. That in all cases of election by ballot it shall be unlawful for any person to put any number, figure, or device upon said ballot, whereby any person may be enabled to ascertain by whom the ballot was given, and any violation of, or attempt to violate, this provision, shall be deemed and taken to be a felony, and upon conviction thereof the person so offending may be punished by a fine not exceeding five hundred dollars, or by imprisonment in the penitentiary not exceeding one year, or by both such fine and imprisonment in the discretion of the court; and at all elections none but male citizens of the United States, over twenty-one years of age, and who have resided in the county four months, and in the precinct or election district, thirty days prior to the election, shall be qualified to vote.

Sec. 19. That the probate courts in their respective counties in said Territory shall have power to hear, try, and determine civil causes wherein the debt or sum claimed does not exceed five hundred dollars, but shall not exercise any criminal or equity jurisdiction whatsoever; that the district courts in said Territory shall have exclusive original jurisdiction in all actions for divorce, or alimony, and in all chancery cases or proceedings; all courts in said Territory except the supreme, district, probate, and justices' courts, provided for in the organic act thereof, are hereby abolished. Each district judge may fix the times and places for holding his court for the transaction of business arising under the laws of the Territory and the number of terms which may be held annually, but such action shall be subject to revision by the judges of the supreme court. The supreme court may establish the several judicial districts and assign the judges thereto. The district courts shall have exclusive original jurisdiction in all proceedings for the con-

demnation of private property for public uses.

Sec. 20. That each district court in the Territory may appoint a short-hand reporter, whose duty it shall be to report and transcribe the testimony and proceedings in such criminal cases as shall be designated by the judge of said court, and who shall receive the same fees or compensation therefor as are allowed for like services in the circuit courts of the United States. Such fees or compensation for services in cases of proceedings arising under the laws of the Territory, being taxed by the court or judge, shall be paid to such reporter from the territorial treasury, annually, on the third Monday in December, and in case the territorial legislature shall fail to make provision for the payment of the fees and compensations by this act made chargeable upon the territorial treasury, then in such cases the same shall be paid out of the funds which have been or shall be appropriated by Congress to defray the expenses of the territorial legislature and for the compensation of the members thereof.

Sec. 21. That if any person not qualified to vote shall vote, or offer to vote, at any election, or if any qualified voter shall cast, or offer to cast, at any election more than one vote for the same officer or officers, he shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in the district court of the proper district, be punished by a fine not exceeding five hundred dollars, or by imprisonment in the penitentiary not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

Sec. 22. That the district courts in the several Territories are hereby declared territorial courts while exercising their jurisdiction in cases arising or properly cognizable under the laws of said Territories; and the legislative assemblies of said Territories shall have power to prescribe by law the pleading, practice, and procedure in all cases in chancery and at common law now pending or hereafter instituted in said territorial courts, and to provide in such cases for the joinder of legal and equitable causes of action, for the interposition of equitable defenses to legal causes of action, and for the same mode of pleading, practice and procedure in cases in chancery and at common law: *Provided*, That nothing in this act shall be construed to authorize said legislative assemblies to change or interfere with the pleading, practice or procedure in said courts while exercising their jurisdiction as circuit or district courts in cases arising under the Constitution and laws of the United States. And in all such cases the grand and petit jurors shall be summoned and impaneled, and the process of the court served in the same manner as obtains in the district and circuit courts of the United States. *And provided further*, That the existing legislation of the several Territories prescribing the mode of pleading, practice, and procedure in said territorial courts, as specified herein, is hereby recognized as valid, and declared in force in said courts and in the determination of all appeals therefrom, until the same shall be amended, modified, or repealed by the legislative assemblies of said Territories, respectively.

Sec. 23. That the common law of England in force in the colonies of America, at the date of the Declaration of Independence, is hereby extended over and declared to be in force in the Territories of the United States, so far as the same is applicable: *Provided*, That nothing herein shall be construed to prevent the territorial legislatures of the respective Territories from modifying the same.

Sec. 24. That at any general or special election held in the Territory of Utah, the election precincts shall be established and designated at least thirty days before the election. The governor of the Territory shall have power to appoint one judge and one clerk of election for each election precinct in the Territory so established, and to establish such additional precincts as may be necessary to secure to the people a free and fair election, and to appoint the judges and clerks of election at such additional precincts.

Sec. 25. That the time limited in the third section of the act of the legislative assembly of Utah entitled "An act prescribing rules and regulations for the execution of the trust created under an act of Congress entitled 'An act for the relief of the inhabitants of cities and towns on the public lands,' approved March, eighteen hundred and sixty-seven," approved February seventeenth, eighteen hundred and sixty-nine, in which the rightful owners or claimants of lands within cities and towns of said Territory are required to file the statement prescribed by said act, shall not apply to persons who, at the expiration of said limitation, were either infants, females, convicts, insane, or in prison, but such persons shall have one year after the removal of their disability in which to file said statement.

Sec. 26. That the following acts and parts of acts passed by the legislative assembly of the Territory of Utah are hereby approved and annulled, namely, "An Ordinance incorporating the Church of Jesus Christ of Latter-day Saints," approved February eight, eighteen hundred and fifty-one; also, an act entitled "An act in relation to the judiciary," approved January nineteenth, eighteen hundred and fifty-five; also, an act entitled "An act regulating the mode of procedure in civil cases in the courts of the Territory of Utah," approved December thirtieth, eighteen hundred and fifty-two; also, sections four and thirteen of an act entitled "An act in relation to justices of the peace," approved February fourth, eighteen hundred and fifty-two; also, an act entitled "An act conferring upon women the elective franchise," approved February twelfth, eighteen hundred and seventy; also, an act entitled "An act providing for the management of certain property," approved January twentieth, eighteen hundred and fifty-four; also, an act entitled "An act limiting the time of commencing civil actions," approved February sixteenth, eighteen hundred and seventy-two; also an act entitled "An act for the organization of the militia of the Territory of Utah," approved January fifteenth, eighteen hundred and fifty-seven, and the "System of regulations for the present organization and government of the militia of the Territory of Utah," adopted July, eighteen hundred and fifty-seven; also, section seven of an act entitled "An act creating the office of selectmen and prescribing their duties, also the duties of the county courts," approved January eighth, eighteen hundred and sixty-six; also, section one of an act entitled "An act containing provisions applicable to the laws of the Territory of Utah," approved January fourteenth, eighteen hundred and fifty-four; also, section three of an act entitled "An act in relation to writs of habeas corpus," approved February second, eighteen hundred and fifty-two, so far as the same purports to confer upon the probate courts the power to issue or allow writs of habeas corpus; also, an act entitled "An act

for the regulation of attorneys," approved February eighteenth, eighteen hundred and fifty-two; also, section three of an act entitled "An act in relation to writs of ejectment," approved March third, eighteen hundred and fifty-two; also, section twenty-four of an act entitled "An act regulating the mode of procedure in criminal cases," approved January twenty-first, eighteen hundred and fifty-three; also, section three of an act entitled "An act to regulate surveyors and surveying," approved March third, eighteen hundred and fifty-two; also, section five of an act entitled "An act regulating elections," approved January third, eighteen hundred and fifty-three; also, section three of an act entitled "An act concerning the property rights of married persons," approved February sixteenth, eighteen hundred and seventy-two; also, all resolutions, acts, or parts of acts granting to individuals, associations, or corporations the possessory right to any portion of the public domain or herding-grounds, timber rights, or water privileges thereon; also all acts incorporating cities or towns; also all acts providing for the election by the legislature of the territorial marshal, attorney-general, auditor, treasurer, surveyor-general, wardens of penitentiary, and directors of penitentiary, so far as said acts provide for the election of said officers by the legislative assembly of said Territory; and all of said officers shall be appointed by the governor of said Territory, and subject to removal by him; also all acts or parts of acts so far as the same are inconsistent or in conflict with the provisions of this act.

## Correspondence.

ALPINE CITY, Feb. 12, 1873.

*Editor Deseret News:*

Alpine is at present undergoing an attack of the epizootic, so severe that there is scarcely a team to be seen doing any kind of work. We are having a good deal of snow in this little corner, and the roads are in good condition for sleigh riding, but on account of the sickness among the horses it is very seldom that the merry ring of the bells is heard, and the young folks have to resort to some other kind of amusement.

Last Monday was election day, and passed off very peaceably, with slight opposition.

During the year 1872 we erected a fine new rock meeting house which is so far completed as to admit of holding meetings in it and to dance occasionally. So far as it has gone it has cost about \$5,500. The windows and doors are circle tops.

Alpine is not much behind in regard to a co-operative store. We have a beautiful frame building of redwood, costing in the neighborhood of one thousand dollars. Much credit is due to Bishop J. McCullough for the manner in which he has attended to the erection of these buildings, and the manner in which he attends to all public duties. Many other improvements, too numerous to mention, have also been made, which all tend to the building up and beautifying of our peaceable little settlement.

ONE WHO RIDES.

The above is only a portion of the communication of "One Who Rides," the remainder being a complaint about the rates charged for riding on railways in the Territory. "One Who Rides" says if the railway companies would reduce the fares they would make more money. —[Ed. D. N.]

## DIED.

At Porterville, Feb. 10th, of paralysis, MINERVA A. DEUEL, wife of Elder Alma Porter, aged 28 years, 11 months and 8 days. She leaves a husband and six children.

At Charleston, Provo Valley, Feb. 5th, MELICIA AMANDA, daughter of Sarah Bullmore and Wm. Bromley, aged 19 years, one month and 5 days.

Mrs. Star, please copy.

At Porterville, Morgan County, February 9th, of old age, SANFORD PORTER, Sen., aged 82 years, 11 months and 2 days.

Deceased was born in Brimfield, Mass., on the 7th day of March, 1790. He served his country in the war of 1812, and embraced the Gospel in Taswell county, Illinois, June, 1831. He was ordained an Elder under the hands of Lyman Wight and John Carl, and soon raised up a small branch of the church, which he organized into a company, and started on the 1st of December, 1831, for Jackson county, Missouri, arriving at Independence on the 6th of March, 1833. From thence he was driven, in company with the Saints, in the fall of 1833. He died with a few families into Van Buren Co., where he resided until the spring of 1839, when he was again obliged to leave his possessions, and take up the line of march. He arrived in Lea Co., Iowa, the 1st of July. Here he enjoyed a season of rest in the society of the Saints. He was expelled, with the Nauvoo Saints, in 1846, following the pioneers, he arrived in Salt Lake Valley in October, 1847. He honorably led various offices in the church. He was the first resident in Porterville, and had remarkable faith. He lived as a Saint, and did in full possession of his mental powers. His children, grand children and great grand children number 157 souls, most of whom attended his funeral. —[Com.]