

hand, and the tears flowed copiously as he saw his doom was not then averted. One of his traveling companions found the other covered over with filth, and on being asked, "I have it," Welsh exclaimed louder than was prudent, "Thank God, you won't hang me now, God bless you." Religion is a great relief for some at the point of death, even though their conduct is not the best and purest.

He was escorted back to his lonely cell, by his friends in disguise, and left to ponder over the incidents of the last half hour.

On Saturday morning he was examined before Justice Wm. Gill Mills. He pleaded guilty and had no apology to offer. The Judge committed him for trial to the District Court, putting him in the hands of the sheriff for safe keeping until the judgment day should arrive, with the privilege of giving \$1,000 bonds.

It is not known who the parties were who made him disgorge the property, but everybody in the camp seems pleased with the result. The thief expected to get six or twelve months in the penitentiary for stealing the two watches, and then return to Alta, and find the treasure laid up for a rainy day—the four watches.

Tooele Contested Election Case.

The following are the particulars of the proceedings of the County court of Toocele in the contested election matter—

TERRITORY OF UTAH, } ss.
Toocele County, }

In the County Court of Toocele County in said Territory.

At an adjourned session of the county Court of said County, began and held at said Toocele City, the 25th of Sept., A. D. 1874, at 10 o'clock a.m., Court opened. Present Lawrence A. Brown, Acting Judge of Probate, George W. Bryan, George Atkin and Cyrus Bates, Selectmen, and William H. Lynch, Sheriff.

The minutes of the last session were read and approved.

The report of the selectmen as to all road of M. Embury was read, and amended so as to make toll each way; then adopted.

Bill of \$15 for Judge of Election one day at Dry Canyon polls read, received and laid over, the selectmen suggesting that \$15 per day for such services in these hard times, seemed to them rather high.

The contested election cases of Richard Warburton vs. Enoch F. Martin and others, which had been fixed on the calendar of the Court at its last session, for trial this day were severally called up and moved on for trial, pursuant to the order heretofore made by the court.

Thereupon Lawrence A. Brown, acting Judge of Probate, stated "that he must withdraw, as he was a party interested, that a majority of the court could go on, as the clerk was in attendance, and he must withdraw. The counsel for the contestant urged him to remain, waiving all objections to him as the presiding officer of the court, in all the cases except that of Rowberry vs. Brown, but he declined and withdrew. Additional notice was then, by order of the Court, served on Enoch F. Martin, James M. Lynch, and Judge Brown, that said several cases would be taken up in their order as they had been set for trial at the last day of the former session.

Thereupon the case of Richard Warburton, contestant, vs. Enoch F. Martin, respondent, was taken up for hearing and trial, pursuant to Sec. 13 of the "Act Entitled an act regulating Elections," January 3, 1853, approved, page 89, Utah Statutes; and after hearing all the evidence adduced, the Court did find as follows:—

TERRITORY OF UTAH, } s.s.
County of Toocele, }

In the County Court of Toocele Co., of the September Term, 1874.

In the matter of the contest of the election for County Recorder of said County of Toocele, on August 3, 1874.

Richard Warburton, }
Contestant. }

vs. }
E. T. Martin, }
Respondent. }

At a session of said Court, begun and held at Toocele City, on Friday, September 25th, 1874, pursuant to adjournment, the said cause was taken up for trial, pursuant to

order on the 21st, the said contestant with his attorneys, Bates & Gee, appearing, and the said defendant having refused to appear, although specially notified to do so by an officer of this Court, the Court, at the Court House, in Toocele City, proceeded to determine the question between the parties hereto, pursuant to section thirteen of the act "entitled An act regulating Elections," approved January, 3d, 1853, and which said Act, although submitted to the Congress of the United States, has never been disapproved of by Congress.

And the Court, after hearing all the witnesses, who were produced and sworn, do find the following facts, viz:—

1. That notice in writing was given by Contestant to the County Clerk and also to the Respondent within ten days after the result of the election was known, which said notice was produced and proven and filed in this Court.

2. That at the polls in Ophir precinct, there were deposited four hundred and ten (410) votes, of which number the Court find that two hundred and eighty (280) were illegal, the same having been given by persons who were disqualified to vote, by reason of non-residence.

3. That, at the precinct of Jacobs City, there were deposited in the ballot box, five hundred and seventy (570) votes, of which number the court finds five hundred and twenty-six (526) have to been illegal, null, and void, because cast by voters who were disqualified by reason of non-residence.

4. The Court finds that at the Stockton polls one hundred and sixty-one (161) votes were cast, of which one hundred and seventeen (117) were illegal, null and void, the same having been cast by persons who were disqualified by reason of non-residence.

5. And the Court does further find that at the Lewiston precinct, forty-three (43) votes were cast, of which thirty-five (35) were illegal, null and void, the same having been cast by persons who were disqualified to vote by reason of non-residence.

6. The said Court does further find that at the precinct of Deep Creek, fifty-three (53) votes were cast, of which twenty-three (23) were illegal, null and void, the same having been cast by persons who were disqualified by reason of non residence.

And so the Court finds that as a fact that nine hundred and eighty-one (981) illegal votes were cast and deposited in the ballot boxes in the five precincts aforesaid, in said election, August 3rd, 1874.

7 We do further find as a fact that, at said election on the 3rd of August, 1874, the whole number of votes cast for Richard Warburton in said County was ten hundred and thirty-nine, (1039), and the whole number of votes cast for Enoch F. Martin was eleven hundred and seventy-three, (1173); and, discarding from the votes so given for Richard Warburton, the entire number of legal votes cast in the five precincts aforesaid, and giving to the said Enoch F. Martin, the entire number of legal votes given in said five precincts, we find that Richard Warburton has a majority over the votes given for the said Enoch F. Martin of six hundred and thirty-three (633).

8. And the court finds that, at the said election on the third of August, 1874, Richard Warburton was duly elected County Recorder of said County, and that said Enoch F. Martin was not elected.

And so the said County Court do adjudge, order, decree and determine that Richard Warburton was duly elected County Recorder of Toocele County for the period of four years, from and after said election; and that the clerk of this court shall furnish to him forthwith a copy of this determination and judgment, under the seal of this county, all of which is ordered, adjudged and decreed, and directed to be entered of record.

In witness whereof we hereto set our hands and affix the seal of this Court this 26th of September, 1874.

GEORGE W. BRYAN, S. M.
L.S. GEORGE ATKIN, "
CYRUS BATES, "

Territory of Utah }
Toocele County } ss.

I, Maro J. Chamberlain, County Clerk. In and for said county of Toocele, U. T., do hereby certify the above and foregoing is a duplicate of the order and judgment entered of record this day in said Court.

In witness whereof I have hereunto set my hand, and affixed the seal of said Court, this 26th day of September, A. D. 1874.

The Clerk of this court having refused to obey the order of the court, and to append his signature and the seal of said court to this determination, judgment and decree, we do hereby certify and declare that the foregoing is a duplicate of the judgment, determination and decree entered by this court of record, this 26th of September, 1874, at 2 o'clock p.m., in open court.

In witness whereof we have hereto set our hands and seals, the day and year written.

GEORGE W. BRYAN, S. M.

GEORGE ATKIN, S. M.

CYRUS W. BATES, S. M.

By Telegraph.

AMERICAN.

NEW YORK, 25.—The city authorities gave a reception and levee to the Lord Mayor of Dublin and party in the Governor's room, City Hall; all the municipal authorities and officials were present. Mayor Havemeyer presented the guests in a brief address. The levee lasted two hours.

General Sherman has written a memoir of the events of the late war, for publication after his death. With the exception of the last chapter, which, comprising his opinions on the useful military lessons therefrom, is published in the army and navy journal to-day.

The Tribune has the following special from New Orleans, 25:

"On the day of the Penn coup d'etat, when the revolutionists seized the state house after Governor Kellogg's retreat to the office of Marshal Packard, a large number of official and private letters were found in the archives of the office, and have since been in possession of citizens. Among these were a number which passed between Governor Kellogg and prominent congressmen. It has been freely intimated that they contained important revelations as to the manner the Louisiana case was managed in Washington with the view of seating Pinchbeck in the Senate, and keeping Kellogg and his party in power. The Tribune representative succeeded, to-day, in securing the originals and copies, and some are given herewith. The first is from E. C. Billings, a Republican lawyer of this city, one of the counsel of Gov. Kellogg while the Louisiana case was before Congress. It is as follows:

"Willard's Hotel,
"Washington, Dec. 3, '73.

"Dear Gov. Chandler—William E., is working with us, and he has worked with us nobly, and more effectively than any one except Williams. He wished me to write to you about his fee, and would like you to arrange the matter with him at the earliest moment possible.

"EDWARD C. BILLINGS."
"The following were written when Senator Carpenter's Louisiana bill was before the Senate, and shortly before Congress adjourned:

"Washington, Jan. 22, 1873.

"My Dear Sir—I have just received yours of the 12th, having been out of town for ten days, and I have accordingly drawn on you for \$1,000. Did I state in a previous letter that of the draft of two thousand which you sent me some time since, I found it desirable to deliver one thousand to Chandler? I am glad to see that all opposition to your administration is dying out, and public confidence is being restored. I shall be happy to see you when you come here, and I remain yours truly,
C. CUSHING."

"Hon. Wm. Pitt Kellogg:
"Billings and Hughes, Counselors at law, No. 82 Custom House St., New Orleans, July 1, 1873.

"To his Excellency:

"Dear Govn: I may leave for the north on Thursday, and if you are going to advance me anything on my fee in your case you can

hand it to Mr. Barratt, our common friend.

"I am truly yours

"EDW. C. BILLING."

"P. S.—I have hopes that you will make the payment as large as five thousand."

"Billings & Hughes, counselors at law, No. 82 Custom House St., New Orleans, July 1, 1873."

"Received from Hon. W. P. Kellogg, \$2,500 dollars on account, for professional services in the case of Kellogg against Warmouth et al. (\$2,500) EDWARD C. BILLINGS."

"The amount filled in this receipt by me. JOHN C. BARRETT, Jr."

"BOSTON, 17, 1873.

"(Crest & Motto, comme je trouve.)

"To My Dear Governor:—I think my retainer in the matter of the petition in the Supreme Court, about the affair of Louisiana should be three thousand. I advised in the cause with the counsel who argued it; they will recognize my services, and I was obliged in consequence of the retainer to refuse one on the other side. Please remit by draft on New York, which draft will be your receipt.

"Very truly yours,

"BENJAMIN F. BUTLER."

"Hon. W. P. Kellogg, Governor, etc., New Orleans."

"General Butler refers to the case before the Supreme Court, but gentlemen who are familiar with Louisiana affairs, say there was no Louisiana case before that court at the time this letter was written, and that the services thus ingeniously described were nothing less than his influence as a member of Congress in the Pinchback and McEllan contest, in fact that he was interested and retained, just as it appears from other letters that Caleb Cushing, Attorney General Williams, and Wm. E. Chandler, Secretary of the Republican Congressional Committee, were. There are other letters making startling revelations, and implicating prominent men in Washington, including two senators, to the extent that they are shown to have asked for and acknowledged the receipt of large sums of money from Kellogg, while the Louisiana case, involving the seats of Pinchback or McEllan, was before the Senate. A letter from Mr. Chandler acknowledges the receipt of ten thousand dollars, but speaks of his effective services and asks for more. The remaining letters will be brought forward hereafter, but it is impossible to get copies to-night. The evidence of the genuineness and authenticity of the signatures and the fact that they were found in Governor Kellogg's office is clearly established on excellent authority.

PITTSBURG, 25.—An affray, without serious results, occurred at MacDonald's station yesterday, between striking miners and Italian workmen; several incendiary fires occurred in that neighborhood to-day.

OMAHA, 25.—President Dillon and Jay Gould started from here by a special train, for San Francisco, this morning.

CHICAGO, 25.—The action of the executive committee of the National Board of Underwriters, in recommending the withdrawal of all the agencies of board companies from Chicago, because of the neglect of the city authorities to adopt certain recommendations or to comply with certain demands of the board, excites much comment in business circles here, though there is little excitement and less apprehension, as the majority of the insurance agents here declare that the board has exceeded its authority and has taken an unwise step, which they are likely to regret, and many of the best board companies will pay no attention to the recommendation of the executive committee, as there is nothing binding in it, being simply advisory. The merchants here express confidence in their ability to secure all the insurance they want at reasonable rates.

The Tribune, this morning, says that nobody in Chicago, whose opinion is worth having, doubts that all the companies will return here in a few years, and be glad to get back. The Hartford companies will be forced to do so by reason of the large interests of their stockholders in the Life companies whose loans in Chicago would be at once imperilled by the lack of reliable fire insurance. There is one more consideration which needs to be mentioned rather than urged. It is that the withdrawal in the first instance is the work of New York wholesale merchants, who hope in this way to recover a

part of the jobbing trade which has lately centered in Chicago; when this attempt has failed, and the New York merchants are satisfied of its failure, as they will be in a few months, there will be no organized opposition in the east to the return of all the board companies. In the meantime the State and municipal authorities will have taken ample measures for the protection of the city, and the loss of the companies will have been shown to be an everlasting gain.

WASHINGTON, 25.—The Attorney General has decided that the Secretary of the Treasury has power to remit fines and forfeitures arising under the revenue laws, where the amount does not exceed a thousand dollars, where there has been no summary inquiry and the statement of a judge, and also to remit fines and forfeitures arising under the laws relating to registering, recording or licensing vessels where the amount is not over \$50.

NEW ORLEANS, 25.—Marshal Packard has written a letter to General Emery, calling attention to passages in Senator Schurz' speech last night, in which he, Packard, is accused of using U. S. troops for partisan ends, and in which his removal is urged, and also to a resolution and appeal, submitted by a committee of seventy to President Grant, protesting against placing at the disposal of the attorney general of the U. S. troops to assist him, Packard, in carrying on a persecution against the people of Louisiana. Packard asks General Emery whether these strictures are deserved, and whether he ever attempted to abuse the power entrusted to him as charged. Emery replied, in emphatic terms, that during his command neither Packard nor any one else had attempted to control U. S. troops for political purposes, that such control would be impossible, and if attempted would be resisted by the officers and men, and those who make these charges are ignorant of the facts and possibilities in the case.

FALL RIVER, Mass., 25.—The inquest in the Granite Mill disaster was renewed to-day. The superintendent of the fire alarm telegraph testified that alarms were sounded from different boxes at the same time, becoming confused. Thomas Walker, who escaped from the top story by a skylight to the roof and then let himself to the ground by a rope, testified that he went to the various places as soon as the alarm sounded, and found escape already cut off by the flames, and the fire coming up through the belt holes in the floor. He then obtained a step ladder and got on the roof, though his companion was unable to do so. Not more than three minutes elapsed from the time he got the alarm of fire to the time he was on the roof. There was one staircase and two elevators in the sixth story. He escaped by a rope. George Kelley, foreman, and James Sutcliffe, assistant foreman of the Reindeer hook and ladder company, stated their belief that the ladder in use here is worthless, and could not stand more than its own weight if spliced to reach the sixth story. The proper authorities had this matter pressed on their notice, but took no action in the matter.

HOLLY SPRINGS, Miss., 27.—The north bound mail train on the Mississippi Central railroad, yesterday, was thrown down an embankment over thirty feet near here; the ladies' car and Pullman car were turned over. Nobody was killed, but fifteen were wounded. The accident is regarded as unavoidable.

NEW YORK, 28.—A dispatch published here, dated San Salvador, Sept. 5th, confirms the report of the destruction of Antigua, Guatemala, by an earthquake on the night of the 4th inst. Unauthenticated reports also say that both old and new cities of Guatemala suffered by the same earthquake.

ROME, 27.—Mount Etna is still in a state of agitation; rumbling noises are heard inside, and yesterday an earthquake shook the mountain to its base, the shocks extending to the village of Ronsessa, where they destroyed several houses.

LONDON, 28, 8 a.m.—A frightful typhoon passed over Hongkong yesterday. The steamers Leoner and Albia and eight other vessels were wrecked or foundered, and many are missing. A great number of houses were destroyed, and it is reported that a thousand persons were killed. The damage to property in the city and harbor and surrounding country is immense.