

lost much of the stiffness on Saturday evening which characterized it on the previous performance. Mr. Graham's Capt. Thornton was very well filled. The part of Helen is one which derives its importance simply from her being the wife of Rob Roy. The little that it calls for was done by Mrs. Gibson in her usual style. Miss Emille, as Diana, gave promise of filling a void in the Association that has long been felt. We venture to predict that, with stage experience and training, she will display histrionic abilities in a high degree.

We were impressed with the conviction on Saturday night, that the Association is rapidly developing a number of ladies and gentlemen who bid fair to be, what would be considered, elsewhere, stock stars in their several lines. And we find that the public agrees with us, receiving their favorites with the usual marks of encouragement on their first appearance each evening. The stage arrangements and scenery were excellent and effective.

The Queer Subject on Wednesday night made a great amount of fun; and Nature and Philosophy on Saturday night was a complete success.

Professor, hadn't you better rub up that chorus a little; we believe the music is very fine, but couldn't for the life of us appreciate some of it; perhaps that's because our ear is faulty.

The Crock of Gold and A Husband to Order, to-night, form a very pleasing and attractive bill. The latter is a neat little serio-comedy, produced for the first time here.

PROBATE COURT.—A nolle prosequi has been entered in the case of the people vs. Hickman, hence the question as to who is subject under the law and articles of war to trial by court-martial, is no longer the contested question, so far as this case is concerned.

James Rhodes, who, when first arrested, divulged the mysteries connected with the Ransohoff & Co.'s robbery, and who has ever since manifested a willingness to tell all he knew of the transaction, was brought into Court on Thursday evening, and sentenced to pay a fine of \$50.

After a long and tedious trial, the case of Thurmond vs. Fox was submitted to the jury about 5 o'clock on Saturday evening, and for some reason or reasons, perhaps best known to the jurors themselves, they refused, or could not agree, and were consequently locked up and left in charge of the bailiff sworn to take charge of them, in which rather unpleasant situation they were, as report says, "through the obstinacy of one of their number, compelled to remain until Monday, at 11 a.m. When brought into Court they rendered a verdict in favor of the plaintiff in the sum of \$14.28, only one of their number, Mr. Curtis E. Bolton, dissenting. Notice was given by the counsel for the defence that they would file a motion in arrest of judgment.

The following are the names of the jurors who sat upon the case: Albert Merrill, William C. Neal, Benj. T. Mitchell, Wm. Hicklenlooper, Lucas Hoagland, Curtis E. Bolton, William S. Godbe, George L. Merrick, William B. Wright, Geo. W. Thatcher, H. S. Beatie and Lewis S. Hills. After the rendition of the verdict, the Court in eulogistic terms complimented the jury for their patient endurance in the case just terminated.

On Monday afternoon, the case of Nicholas Groesbeck vs. Abel Gilbert, charged with being in debt on due bill, was before the Court. The testimony was heard on both sides, and Court adjourned till yesterday at 10 a.m.

PAYSON.—Br. Isaiah M. Combs informs us that the Literary Association of Payson, is in a flourishing condition, holding numerous attended meetings each week, and is about to start a literary paper (manuscript, we presume), to give the members an opportunity for practice in composition. "Our new school house has been completed, and would do credit to any city of the size in the United States. It has been furnished in the most convenient style, both for teacher and pupils, and is attended by sixty children, varying in age from 6 to 19 years. There are six other schools in operation, two with men and four with women teachers. These schools will average about 35 pupils each, there are, therefore, about 270 children in constant attendance at school in our little city."

SHOCKS OF EARTHQUAKES.—By letter from brother Charles Willden, of Cove creek, Millard county, we have received the following items respecting shocks of earthquakes that have been felt in that neighborhood, of late:

On Monday morning, the 23d ult., we experienced quite a shaking, and on Wednesday morning, the 25th, we had an almost continuous shaking from 1 o'clock till 7. There were four heavy shocks and eighteen light ones, the heaviest one occurring at the last named hour. The effects were that the bell in the clock rang, being struck by the hammer very rapidly; the crockery rattled and the tables and chairs got a terrible shaking.

Other shakes, of an apparently exhausted character, have visited us to-day, the 26th. All the shaking seems to arise in the west and travel eastwardly.

Similar effects have been experienced previously in this region of country, but they were neither so heavy or numerous as at the present visitation.

SOUTHERN NEWS.—Elder Daniel Bonelli, Santa Clara, writes cheerily of southern affairs; and adds that br's Jacob Hamblin and L. J. Utley, on the 17th ult., from opposite St. George, embarked

on a flatboat named "Virgen Adventurer," to try the navigable capacity of the Rio Virgen, and with a view to accelerate building a warehouse at Mormon Landing on the Colorado.

Much obliged, please write again.

FATAL ACCIDENT.—On the 9th of January, some five miles above Springdale, Kane county, a rock rolled upon and instantly killed Ira George Ayers. Deceased was born in Nauvoo, Ill., and was 19 years, 4 months and 9 days old; his parents, Caleb and Lucinda, were from New Jersey.

THE DESERET ALMANAC, for 1865, will be published on or about the 15th inst. Send on your orders.

MESSRS. MYERS & WOHLGEMUTH, 2d door below Jennings', inform the public that they will sell, "LOW FOR CASH," groceries, dry goods, clothing, and choice articles too numerous to specify.

W. S. GODBE, is prepared to greet his numerous friends in the "Exchange Buildings," S. E. corner of East and First South Temple streets, and furnish them goods in endless variety at reasonable rates.

MESSRS. ELLIS & BROTHERS, in addition to a choice stock of general merchandise, &c., have excellent California Wine.

READ advertisements on last page.

FOREIGN NEWS.

DISTRESS IN LANCASHIRE.—The feeling in England in regard to the prospects of cotton manufacturers is very different from what it was last August. At that time mills were reopened and business was tolerably brisk, but it was found that though supplies of the raw material might be obtained from India or other sources, the demand for finished goods was restricted by high prices. Consequently the mills could not be run at a profit, and manufacturers await the time when India is better supplied with capital for the culture of cotton, and railways for its transportation, or until the cotton plant is grown once more on the Southern plantations of America. A London paper says:

This is a gloomy prospect; for long suffering is exhausting the strength and draining the permanent resources of Lancashire. Scores of manufacturers have recently failed; some because they have embarked in rash speculations, of which the prosecution of their proper trade was the most rash of all. The rest doubt their own ability permanently to weather the storm. Half, two-thirds, or three-fourths of their wealth is locked up in buildings and machinery which are useless for any other purpose than that of manufacturing; out of the rest they must live and pay enormous rates, and render such help as they can to their workpeople. The machinery is wearing out faster in idleness than in work, and no profits are made wherewith to replace it. It is only the richest of the manufacturers, the giants of the trade, who can feel sure that they will survive the crisis.

While the industry of Lancashire is decaying, thousands of operatives have migrated in search of employment. Others are resigned to their condition as paupers, depending on the relief committees with neither shame nor regret. Many will fare hard this winter in the manufacturing districts of England.—[Journal of Commerce, Dec. 29.]

THE RUSSO-AMERICAN TELEGRAPH.

A letter from St. Petersburg notices the arrival there of Messrs. Sibley and Collins, who are in Russia to push forward the plans for the completion of the contemplated telegraph line via Behring's Straits, across the north of Asia to Europe. They occasioned much surprise in London by the announcement that all the stock of the overland company was taken, and that no money was wanted of any capitalist or corporation. At St. Petersburg, too, the American visitors received "a continual ovation," including a dinner, at which were present no less than fifty governors, besides generals, counts, and others less distinguished. They were favored by Prince Gortschakoff with an interview, and were subsequently presented to the Emperor.

Before Mr. Collins finishes his work, he will have much to do besides eating big dinners with the Koff's and Ki's at the capital of Russia. He has secured grants from Russia authorizing the construction of a continuous line of telegraph from the mouth of the Amoor River to the frontier of the Russian possessions in America, with promise of assistance from the Emperor. England has given authority to extend a line through the intervening territory of British Columbia. Already Russia is making rapid progress eastward, to connect St. Petersburg with the Pacific coast, designing to embrace in the plan a net-work of wires through Kiakhla,

now the entrepot of European and Chinese commerce, and from thence to Peking; also a line across the Straits of Tartary, and over the island of Sakhalin to Hakodadi and the capital of Japan. The growth of commerce in the East, resulting from the steady encroachments of the European powers, to say nothing of the American whaling fleet in the Pacific and the Ochotsk Sea, gives to this enterprise an importance which augments from year to year. There is reason to look with interest and confidence for its success.—[Journal of Commerce.]

ITALY.

The law for the transfer of the capital of Italy to Florence, countersigned by all the ministers, is promulgated in the official gazette.

JAPAN.

The Paris *Galignani* has received a letter from Hallon to the effect that the Prince of Nagatto, having refused to pay the war indemnity stipulated in the treaty of peace signed by him, the criminal tribunal of Yeddo had decided that his two palaces should be razed to the ground, and his servants put to death. The sanguinary sentence was approved by the Milkado and Tycoon, the temporal and spiritual sovereigns of Japan. The number of servants killed in the execution of the sentence was 420 men and 215 women and children. The Prince himself had besought the English, French, American, and Russian ministers to intercede with the Tycoon, in his own behalf, he having decided to pay all sums due.

SPAIN.

A terrific hurricane has been experienced at Lisbon, numerous small vessels being sunk. The extent of the disaster on shore is not yet announced.

LETTERS received at Sydney from missionaries at the Loyalty Islands, South Pacific, report extraordinary proceedings by the French at Lifu. The French soldiers had prevented the natives attending divine service, and put in irons some of the natives and missionaries who refused to obey the prohibition. The unfortunate islanders are, it is said, treated with the greatest cruelty, and many of their leading men have been carried away captives to New Caledonia.

[BY AUTHORITY.]

AN ACT

Governing Writs of Attachments and Garnishments.

SEC. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That if any creditor, his agent or attorney, shall file an affidavit in any of the courts of this Territory, according to their respective jurisdiction, setting forth that any person is indebted to such creditor, stating the nature and amount of such indebtedness as near as may be, and that such debtor has departed or is about to depart from this Territory or the county in which he resides, or wherein the complaint was made, with the intention of having his effects removed from this Territory or county as aforesaid, or is about removing his property as aforesaid to the injury of such creditor or that such debtor conceals himself or stands in defiance of an officer so that process cannot be served upon him, or is not a resident of this Territory, it shall be lawful for said Courts to issue a writ of attachment directed to the proper officer, commanding him to attach, in whose possession the same may be found the land claims and improvements thereon or other property of such debtor, or so much thereof as will be sufficient to satisfy the claim sworn to and the interest, damages and costs of suit.

SEC. 2. Such officers shall without delay execute such writ of attachment upon the land claims and improvements thereon, or other property of the debtor of value sufficient to satisfy the demand sworn to and interest, damage and costs, as he may have been commanded in said writ, and make returns of his doings thereon as on other writs with an inventory of the property by him attached, indorsed thereon, or thereunto annexed. If the defendant or any person for him is in the act of removing any personal property, the officer may pursue and take the same in any county of this Territory, and return the same to the county from which such attachment issued. He shall also serve said writ of attachment upon the defendant, if he can be found by reading the same to him, or delivering a copy thereof, and the return to such writ must state the manner in which it was served.

SEC. 3. Every Court, before granting an attachment, shall take bond and security from the party for whom the same shall be issued, his agent or attorney, payable to the defendant in double the sum sworn to be due, conditioned for satisfying all costs and damages which may be awarded to such defendant, or others interested in the proceedings, by reason of plaintiff, wrongfully suing such attachment.

SEC. 4. When the sheriff or other officer having charge of said writ is unable to find property of any defendant sufficient to satisfy any attachment under the provisions of this act, he is hereby required to summon any person or persons the plaintiff shall designate as having any property, or things in action in his or their possession or power belonging to the defendant, or who are in any wise indebted to such defendant to appear before the Court to which the writ is returnable on the return day of the attachment, then and there to answer upon oath what amount he is or they are indebted to the defendants in the attachment, or what property or things in action he has or they have in possession or power at the time of serving the attachment. The person or persons so summoned shall be considered a garnishee or garnishees, and the officer shall state in his return the name or names of the person or persons so summoned and the date of service, and the Court may render judgment against said garnishee or garnishees for the amount found due; provided, that a

person garnisheed shall not be liable for any costs or damages that may have been awarded to any one interested in the proceedings, beyond the actual amount of his indebtedness to the defendant in the attachment.

SEC. 5. The officer serving the writ shall take and retain the possession of the property attached, to be subject to a judgment or decree of the Court, unless the person in whose possession the same may be found, enters into bond and security to the officer, to be approved by him in at least double the value of the property attached with condition that the property shall be forthcoming to answer the judgment of the Court in said suit.

SEC. 6. When a person is served with a summons as garnishee, according to the provisions of this act, it shall be lawful for the garnishee to pay to the officer the amount due from him to the defendant; provided, it does not exceed the amount claimed and sworn to in the attachment, and the officer's receipt to him shall be his exonerator from the amount so paid.

SEC. 7. Whenever judgment is rendered against any garnishee, and it shall appear that the debt from him to the defendant in the attachment is not yet due, execution shall not issue against him until the same shall become due; and property sold by virtue of a writ of attachment shall be governed by the rules governing property taken and sold by execution.

SEC. 8. If, upon the sale of any property under the provisions of this act, there is any surplus left in the hands of the officer after satisfaction of the judgment and all costs, he is hereby required to forthwith pay all such surplus to the defendant, if he is present, and if he is not present as soon thereafter as the same shall be legally demanded: provided, that if the defendant be a non-resident of the county, the officer shall deposit said surplus with the Court, who shall notify the defendant, as soon as practicable, of the amount so deposited in his hands.

SEC. 9. That sections fourteen and fifteen of an act entitled "An act regulating the mode of procedure in civil cases in the courts of the Territory of Utah," approved Dec. 30, 1852; also an act in relation to attachments and garnishments," approved Jan. 16, 1862, are hereby repealed.

GEORGE A. SMITH,
President of the Council.

JOHN TAYLOR,
Speaker of the House of Representatives.

Approved Jan. 20, 1865.

JAMES DUANE DOTY,

Governor.

SECRETARY'S OFFICE,
Utah Territory.

I hereby certify that the foregoing is a true copy of a law passed by the Legislative Assembly of Utah Territory, and approved by the Governor on the 20th day of January, A. D. 1865, the original of which is on file in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of said Territory, this 29th day of January, A. D. 1865, and of the Independence of the United States the eighty-ninth.

AMOS REED,
Secretary of Utah Ter.

AN ORDINANCE

Relating to Licenses for the sale of Spirituous and Fermented Liquors.

SEC. 1. Be it ordained by the City Council of Great Salt Lake City: That a wholesale liquor license shall not authorize any person to sell, barter, or deliver, or permit to be sold, bartered or delivered, any wines, spirituous or fermented liquors in less quantities than three gallons, except such as are imported in bottles, and in no case to be drank on the premises of the party so licensed.

SEC. 2. That a retail liquor license shall authorize the sale of wines or spirituous liquors in any quantity not exceeding three gallons, and in no case to be drank on the premises.

SEC. 3. That a license to keep a bar, drinking saloon, dram or tippling shop, shall not authorize any person to sell, barter, or deliver, or suffer, or permit to be sold, bartered or delivered, any wines, spirituous or fermented liquors, or any composition of which wines or spirituous liquors form a part, in any quantity, except to be drank on the premises of the person so licensed: provided, persons holding license as set forth in this section shall have the right to sell liquors and wines imported in bottles.

SEC. 4. Any person holding license to brew and sell at wholesale, malt liquors, shall be authorized to sell in any quantity, not to be drank on the premises of the party so licensed; and any person licensed to retail malt or fermented liquors, or to keep a beer shop, shall be authorized to sell in any quantity not exceeding five gallons to any one person at one time.

SEC. 5. Any person found violating any part of this ordinance shall be liable to a fine in any sum not exceeding one hundred dollars for each offense, and imprisonment not exceeding three months; or both fine and imprisonment.

Passed, Feb. 2, 1865.

A. O. SMOOT, Mayor.

ROBERT CAMPBELL, City Recorder.

This certifies that the foregoing Ordinance is a true copy.

ROBERT CAMPBELL, City Recorder.

RATHER SEVERE ON THE PARSONS.—A soldier writing from Atlanta about the army chaplains:

The service is at last nearly rid of one complete nuisance. Army chaplains are among "the things that were"—at least in the Fourth Corps. The campaigns are becoming too "vigorous" for them. They are averse to battles because they are so unprepared for death. When we were lying quietly in camp they were the bloodiest creatures south of Mason and Dixon's line. They urged, in sermon and conversation, "the last man and the last dollar." Their only terms was the complete extermination of the Southern people from the face of the earth! and when this was consummated, they proposed a grand neck-stretching of the "enemy in the rear." Through the blessings of a Divine Providence, and through the influence of a cowardly set of knaves, we are almost cleared of them."

OHIO produced the most wool and wine of any State last year, viz:—10,608, 927 pounds of the former, and 568,617 gallons, of the latter.