

Local and Other Matters.

FROM MONDAY'S DAILY, JUNE 28.

Tabernacle Meeting.—Elder Orson Pratt preached yesterday afternoon.

Will Get Back.—It is expected that President Young and a portion of the party accompanying him on his visit to Sanpete will reach this city to-morrow evening.

Artistic Penmanship.—To-day we were shown a certificate of honorary membership of the Deseret Typographical Union of Mr. William Fuller. The document was of beautiful ornamental penmanship, neatly executed by the hand of Mr. John E. Evans.

Yellowstone Expedition.—The Bozeman *Avant-Courier* says that the Yellowstone expedition launched upon the river, June 17, four boat loads, heavily loaded, with eight persons in each, destined for the "head of navigation," where they would land, build stockades, and permanently locate.

Mr. Little's New House.—The foundation, one of the most substantial in this city, of Mr. F. Little's new house, 13th Ward, having been completed, the bricklaying has been commenced, and the large force of hands at work on it, indicates that it will be put through in quick time. Morris & Evans are the contractors for the mason work.

We understand it is Mr. Little's intention to remove the building he now occupies, when the new one is completed.

Severe Accident.—On Saturday evening James Lambert, a six-year old son of Brother Charles Lambert, of the 7th Ward, obtained a quantity of gunpowder, in the house, and took it into the yard, where he applied a match to it, the flame, when it exploded, scorching his face in a most frightful manner. It was feared at first that the little fellow would lose his eyesight, but we are glad to learn that he is able to partially open his eyes this morning, and can see a little.

Funeral Services.—The funeral services of the two children of Brother and Sister Wheeler, burned to death at Wanship on Thursday last, were held in the Second Ward meeting house yesterday morning, there being a large attendance of friends on the occasion. The speaker was Elder Wilford Woodruff, who took as a foundation for his remarks the first chapter of the Book of Job, upon which he delivered an interesting and profitable discourse, during which he endeavored, by inculcating faith in and resignation to the dispensations of Providence and elucidating the principles of the gospel of Christ as revealed through the Prophet Joseph Smith, to console the sorrowing parents under their sad bereavement. The remains of the poor children were followed to the cemetery by a large number of the residents of the Ward, Brother Wheeler having been a long time resident and much respected member thereof.

A Memorable Anniversary.—Yesterday, the 27th of June, was the anniversary of a most memorable event in the history of the Latter-day Saints, and in future time will be held so by the whole world. Thirty-one years ago yesterday Joseph Smith, the great prophet of the Latter-day dispensation, and his brother, Hyrum Smith, while in Carthage jail, Hancock County, Ill., awaiting trial on a trumped up charge, were murdered, in cold blood, by an armed mob of about 150 men, with blackened faces, while Elder John Taylor, who was with them, had four bullets shot into his body, Elder Willard Richards, who was also present, escaping unhurt.

The mob which burst into the jail and did the murderous work had blackened their faces to prevent recognition, and the deed was perpetrated while the victims were under the pledged protection of Governor Thomas Ford of Illinois.

Another Man Killed.—Yesterday intelligence was brought to this city to the family of Brother George Holden, of the 6th Ward, that he had been killed, at Silver Fork Springs, Big Cottonwood Canyon, but it was not stated whether his death was caused by accident, or whether he had met with foul play. It appears that there existed between Mr. Holden and a man named Wilson a dispute regarding the ownership of a

mining claim at Silver Fork, which Mr. Holden had developed, and these facts lead to the supposition that he has probably been shot.

On receipt of the intelligence a wagon was at once dispatched to Silver Fork, to bring the body to this city.

Deceased was late of Manchester, England.

Supreme Court of Utah.—The Supreme Court of Utah met, pursuant to adjournment, at the Federal Court House, at 2 o'clock on Saturday afternoon.

J. B. McKean, Supreme Court reporter, announced his intentions to publish a volume of Utah reports, and asked for an order of court giving him the privilege of taking from the Clerk's office any decisions filed therein. The order was made.

Mr. C. W. M. Silva, heretofore admitted to the bar of the Third District Court, was presented, by Mr. F. Tilford, for admittance to the bar of this court. A committee was appointed to examine the applicant as to his qualifications.

Wines & Kimball vs. Stevens & Shurtliff. Appeal from the Third District Court. The opinion was delivered by Lowe, Chief Justice. Various motions were overruled, and others approved; order to be entered; motion to dismiss appeal denied.

Thackhara, Buck & Co. vs. Reid, Kinsey & Greeley. Appeal from the Third District Court. Lowe, Chief Justice, delivered the opinion; judgment of the court below affirmed, with costs on appeal.

Crane Brothers Manufacturing Co. vs. Reid & Kinsey. Appeal from the Third District Court. Lowe, Ch. J., delivered the opinion. Judgment of the court below affirmed with costs on appeal.

Joseph W. Wilson vs. Emily R. Jarman et al. Appeal from the Third District Court. Boreman, J., delivered opinion. The order of the Third District Court, awarding a writ of assistance, is vacated and the appellants (Jarman et al) are reinstated in possession of the disputed premises.

Joseph G. Hussey et al vs. Job Smith. Appeal from Third District Court. Boreman, J., delivered opinion. Judgment of Court below affirmed with costs.

Henry Thomas & wife vs. The Union Pacific railroad. Appeal from Third District Court. Boreman J. delivered the opinion. Judgment reversed and cause remanded to Third District Court.

John Leetham et al vs. Patrick Cusick. Appeal from Second District Court. Boreman, J., delivered the opinion. The order of the Court below is reversed.

The United States vs. James F. Woodman et al. Appeal from Third District Court. Emerson, J., delivered the opinion. Judgment of the Court below affirmed with costs.

Samuel Smith et al vs. Jeremiah Richardson et al. Appeal from the Third District Court. Emerson, J., delivered the opinion. Judgment of Court below affirmed with costs.

Lawrence A. Brown vs. Thos. Atkin. Appeal from Third District Court. Lowe, Ch. J., delivered the opinion of the Court. The judgment is affirmed, except to the amount of \$400 for damages, which is overruled.

Mario J. Chamberlain vs. John Rowberry et al. Appeal from Third District Court. Lowe, Ch. J., delivered opinion. Action of Court below in refusing a jury overruled, and the cause remanded. In the cases of *Lynch vs. Lee*, the same judgment was rendered for the same reason. Boreman, J., read a dissenting opinion holding that the judgment should have been the same as in *Brown vs. Atkin*, i. e.; damages denied and the rest affirmed.

Henry Thomas vs. U. P. R. R. Appeal from Third District Court. Lowe, Ch. J., delivered opinion of court. Judgment of court below affirmed. In this case it was held that the common law prevails in this Territory, despite the lack of action to that effect by the legislature; J. C. Hemingway, for appellant, reserved question.

The Court appointed E. T. Sprague United States Commissioner in place of Dennis J. Toohy, resigned. James N. Kimball in open court resigned his position as United States Commissioner.

Geo. R. Maxwell, United States Marshal, presented his accounts for services and expenditures to date, when the same order was made as in regard to the Clerk's fees, leaving the question of law to the Comptroller.

R. N. Baskin presented the petition of Nathan Springer for a writ of *habeas corpus*, and admission to bail. Taken under advisement by the Court.

Court adjourned till Wednesday, June 30th, at 10 a.m.

BY TELEGRAPH.
AMERICAN.

NEW YORK, 24.—Mrs. Tilton will, to-morrow, publish an affidavit, written in her own vindication, in which she says that no person was employed laying carpets at the time specified by Lees, Loader and Price, and to the best of her knowledge they were never in her house, and their narration relating to herself and Beecher is wholly and utterly false. She says—"There never was any improper relations between Beecher and myself, and all the charges of adultery or improper conduct, or any attempt on his or my part to have or solicit any improper relation, or acts, are utterly and absolutely false. No act or word ever passed between Beecher and myself that could not with equal propriety have passed between father and daughter. In conclusion I declare, in the presence of Almighty God, that I am absolutely innocent of all the offences charged against me with relation to Beecher, except through the influence of my husband, which was impossible to resist. I have made charges against Beecher which were false and entirely unfounded, and which Tilton knew to be false. I left my husband willingly and without solicitation, especially on the part of Beecher, but as far as I have any knowledge, contrary to Beecher's desire. It was impossible for me, so long as I lived with my husband, to resist his demands or to speak the truth when he requested me to deny it." Signed Elizabeth R. Tilton, sworn to before Judge McCue, of the City Court of Brooklyn.

In his charge Judge Nielson referred to the policy of silence, and said that Beecher's course throughout was to be carefully scrutinized. "You will inquire whether attention was paid to Mrs. Woodhull to conciliate, at the instance or with the approbation of defendant. Whether, before Miss Turner was sent off to school, he favored that as a precautionary measure, or contributed money in that view, and whether he repressed the presentation and prosecution of the west charges. If you find that Beecher did not act, those questions will give you no trouble; but if you find that he took such a part in these transactions or any of them, you will inquire whether he did so in apprehension that his sexual intercourse with Mrs. Tilton might be exposed, or from some other and independent cause. You will also inquire whether the defendant refrained from a published denial and refutation of the allegations contained in the paper known as the Woodhull scandal, or from answering the particular inquiry made by Mrs. Bradshaw in the letter to which he sent a reply, or was held in the bondage of fear to Mrs. Morse from a sense of the guilt now charged. In any view of the case you may be disposed to ask why Beecher, if innocent, should have garnered up in his heart all that pain and fear so long when he might have made a proclamation to the world and trampled out the scandalous with iron boots. The question on all the proofs is whether the defendant understood that he was charged with adultery, and whether he spoke, wrote, acted and suffered from and in consequence of that; or whether, laying that out of view, he understood the charges to be that he had made improper proposals or advances, and had robbed plaintiff of the rich inheritance and love of his wife; and whether, coupled with these charges, he believed that he had wronged the plaintiff by favoring a family separation, and the dismissal by Bowen, and for those reasons spake, wrote, acted and suffered as described. If the wrong was adultery, the solution of what followed is easy; but if the wrongs, actual or imputed, were of the other character stated, then a just apprehension of the relation between the defendant's state of mind and his conduct involves several considerations. What was his personal estimate of his relation to the church, to the world, to literature, and of the reputation he should leave behind him? What his conception of the nature and

gravity of the charge of impure solicitations, of alienating a woman's love from her husband, and of the effect of such an accusation if publicly made? What his notion of the extent to which Tilton had been injured as a journalist, in his family and to their means of subsistence?"

The Judge called attention to the credit due to the witnesses, and referred as follows to Moulton's connection with the case: "Moulton seems to have intervened as the open and avowed friend of Tilton. He appears to have undertaken to mediate between the parties, to reconcile them as far as possible, and to prevent the specific character of their differences from obtaining publicity. He states that such was the purpose and character of his intervention, and the defendant, in his letters and otherwise, has borne large and generous testimony to that effect. Yet Moulton, on very many occasions, as he himself testifies and as other witnesses state, declared that the defendant was not guilty of the intercourse which he now says had been admitted. It is for you to consider how far the sincerity and inconsistency in his statements go to discredit him. If you shall be of the opinion that he intended to state the truth in his examination, and that his previous declarations were inspired by a spirit of loyalty to the defendant's reputation, and to that of Mrs. Tilton, you are at liberty to make such allowance for that as shall be proper. As to Tilton, you will consider whether his testimony to the confession of defendant's guilt can be reconciled with his previous declarations that his wife was innocent. The peculiar theory which he has explained has been sufficiently illustrated by the counsel, and may be accepted as far as you think proper. As to the witness Kate Carey, it is proper to state that the persons called to prove her alleged bad character for truth and veracity should have a general knowledge, fairly derived from opinions expressed by people who knew the witness. Such an impeachment is weak in proportion as the circle in which the unfavorable opinion prevails is narrow, and as that opinion can be traced to special difficulties. As to another of the witnesses, Benj. F. Tracy, two suggestions have been made, first, that having acted as counsel for the defendant, he should not have been called as a witness in the case; second, that owing to his arrangements with or promise to the plaintiff, he should not have acted as such counsel." The Judge commented at length on Tracy's case, and said, "I have only to add that my own view of the propriety of the course pursued by Tracy agrees with that of his associate counsel in the case. I think with them that there has been no violation of duty on his part, personal or professional."

The question of damage was next considered. The Judge called attention to the large amount of evidence in relation to plaintiff's alleged conduct at home and abroad. Peculiar to this mere question of damage, he said that such misconduct may reduce the amount of recovery, but it is no defense to the action. Mr. Beecher's advances of money which, through Moulton, went to the benefit of Tilton and family, appear to have been mere acts of generosity; that money was not extorted by Moulton, nor does it appear to have been the fruit of any improper artifice, and although it is of no special moment, I think it proper to say that uncontradicted evidence shows that Tilton did not know that he was thus benefited by Beecher. We have before us no evidence which could support charges of conspiracy and black mail, and if we had the defendant's position would remain, if innocent, to be so declared independent of such artifices. The nearest approach to blackmail would seem to have arisen between Tilton and Moulton, if the former did threaten to publish a card injurious to the latter unless the money were paid.

"Gents, the case is now submitted to you. It is of a nature to call for the exercise of your highest intelligence and most scrupulous care. You will retire to your deliberations with an impartial and earnest purpose to be just to the witnesses and just to the parties, and to render a verdict which you may think of hereafter with satisfaction as a duty honestly performed in the presence of God and men."

WASHINGTON, 24.—The President, at the request of many prominent politicians of Kansas, has recalled a letter of recent date to

Internal Revenue Collector Anthony, of Ks., asking for his resignation.

It is probable that the miners found in the Black Hills will not be disturbed at present, as the government does not propose to furnish free transportation back to Cheyenne for all adventurers found there.

CHICAGO, 25.—A *Times*' special from Washington says the Interior Department has received from the War Department notice that a treaty has been signed between the Yanktonnias, Uncpapas, Blackfeet, Sioux, Gros-Ventres, Wandans, and Arickarees. The treaty was agreed to at Ft. Lincoln, on the 20th of May, and is signed by Lt. Carlin, John Burke, and L. D. Sperry, on the part of the Indians. The parties to the treaty agree to cease depredations upon one another, and to confine themselves to the limits of the Standing Rock agency. These Indians have never entered into any kind of treaty with the government before.

Dispatches from Wisconsin and Northern Iowa, state that that section was visited by a violent storm yesterday, blowing down houses and fences, washing away railroad bridges, and damaging the growing crops.

A lengthy report of the Chicago custom house commission, just published, shows that fraud and incompetency have flourished in the construction of the building. They find that the foundation in many places is soft and treacherous, that the layer of concrete was not of sufficient width to equalize the pressure of the weight above, that the stones in the walls are of all shades and colors, and that the most outrageous system of patching had been resorted to in order to conceal the defects.

WASHINGTON, 25.—The Board of Indian Commissioners have requested that officers of the army be detailed to inspect the supplies at Kansas City, Sioux City and Cheyenne, and the Secretary of War has directed Lt. General Sheridan to detail officers to make inspections at the points named.

Judge Spiree, assistant attorney-general for the post office department, has furnished an opinion to the Postmaster General, taking the ground that postmasters are liable on their bond for losses of government property while in their possession. The occasion of the decision was the loss of a registered package containing two hundred dollars worth of stamps in transit through the Boston post office. It was the first time that an opinion has been given, holding postmasters responsible on their bonds for the loss of government property passing through their post office.

THOMASTON, Me., 25.—Wagner and Gordon, condemned to be hanged to-day, kept up a bold front until this morning, when Wagner appeared much excited. Both men men pretest their innocence. At 11 a.m. Gordon attempted suicide by stabbing himself with a shoe knife. He was found lying on the floor of his cell when the warden went to prepare him for the gallows. Wagner mounted the gallows with a firm step. Gordon, when brought to the gallows, was unconscious, and had been since his attempted suicide. He was placed in a sitting position on the box on the drop, and was supported by two deputies. Wagner cast his eyes toward him and turning to the spectators, said—"Standing here to die, I proclaim my innocence before God." Gordon made no sign of life save a faint moaning. At 11.45 the spring was touched and the two bodies were left hanging in mid air. A strong impression seemed to be gaining ground of the possible innocence of Wagner.

A letter from Maracaibo, dated May 29th, gives an account of an earthquake at Circuita on the 18th. The first shock levelled every wall in the city, burying in a single instant 8000 people out of a population of 10,000; several not killed subsequently died from their injuries, and many were murdered by robbers, who plundered in bands. The shocks continued, and fires burned much property. Those saved fled to the neighboring country and encamped. When the news reached Maracaibo two steamers were sent with food and clothing to the sufferers by the American consul and people, also a corps of physicians and a committee to disburse the aid. The Governor sent soldiers to protect the people. Reports from San Cayetons, Santiago, Gramalate, Arbaleda, Cucutella, and San Cristobel, all aggrega-