

## LOCAL AND OTHER MATTERS.

FROM WEDNESDAY'S DAILY, OCT. 7.

Pleasant.—This is the pleasant time of the year, neither uncomfortably hot nor uncomfortably cold. Let us enjoy it and be thankful.

Term Calendar.—By courtesy of Jos. F. Nounan, Esq., clerk of the Third District, we have received a copy of the regular term calendar, for the October term of that Court. It is printed in pamphlet form, and is so arranged as to be exceedingly handy for members of the bar, each of whom is supplied with copies, as well as to all interested in the Court business of the District.

## District Court Proceedings of Yesterday Afternoon.

## The Grand Jury Panel Completed.

After recess yesterday, the District Court resumed business at three o'clock in the afternoon. There was a delay of one hour on account of the non-arrival of Mr. Jesse E. Murphy, who had been drawn as talesman and summoned by the Marshal to appear in Court, but who failed to come to time.

The Court ordered that the name of Mr. Murphy be laid aside and the Marshal draw another. The name of William S. McCormick was then drawn. As he was absent from the city another was drawn, and this time it was William C. Louis, late of Richmond, Cache Co., but now, according to the statement of a person in Court, he resided in Franklin, Idaho. The name was laid aside and that of Edmund Eldredge was drawn, but as he could not be got to Court today, his name was laid aside and that of Thomas A. Jenney was drawn, but as there was an apparent haste to get the jury full, and he not being handy, his name also got the cold shoulder. That of W. W. Casper was drawn and, for the same cause, met a similar fate, and so did that of Lucius Livingstone.

The Marshal next drew from the box the name of Ephraim McLaughlin, and he being a man supposed never to leave town, the Marshal was ordered to summon him forthwith. He soon appeared in Court and was sworn.

In answer to the question as to whether he had any conscientious scruples about finding an indictment, in cases where the punishment inflicted might be death, he said that when persons were guilty of murder they ought to be punished; and when asked whether he would be willing to find indictments against parties under the law of 1862, against polygamy, he said he wanted to understand that question fully.

"Do you believe polygamy to be a crime," said the prosecuting attorney.

"Well," said Mr. McLaughlin, "if Congress says it is I don't think it is right for me to dictate otherwise."

Mr. McLaughlin was accepted.

"Well but," said the newly empaneled juror, "I would rather be excused. I am willing to do all I can, but really I have so much business to attend to, having a contract with Camp Douglas, that I don't know how I could get along. I would rather be excused."

This created considerable merriment in Court.

Mr. Carey said it was for the Court to pass upon the matter.

The Court said the law did not make press of business a sufficient cause for excuse, and if the gentleman was excused on that ground a similar privilege would have to be granted to others who had made private application to be excused. Men who had plenty of time on their hands and were anxious to serve were generally the kind that were not wanted for jurors. Men of business, who had interests in society were just the kind of men who were wanted. No doubt the Attorney would, as far as possible, accommodate those who had pressing business to attend to during the term of the jury. Mr. McLaughlin could not be excused.

The panel of the grand jury, twenty-three, being now full, the clerk called the roll, all answering to their names.

The Court, addressing the jury, informed them that after they were sworn, which would be tomorrow morning at ten o'clock, and after the Court had delivered his charge to them, they would have to go to work immediately, and it was probable they

would have to work hard during their term.

Court was then adjourned till tomorrow (Wednesday) at 10 o'clock.

## TO-DAY'S PROCEEDINGS.

The Court opened again, at ten o'clock this morning, and some time before that hour the doors were surrounded by an eager crowd, anxious to gain admittance. The Court room was soon filled to excess, every available inch of standing as well as sitting room being occupied. We noticed among the spectators a number of ladies, who occupied the box constructed for petit jurors.

The Court stated that only one among the persons summoned as grand jurors had apparently disregarded the process of the Court, Mr. Jesse Murphy. That gentleman had, however, since explained the cause of his absence, showing that it was non-intentional and unavoidable. Had it been otherwise the Court would have punished him. It should be distinctly understood that no process of this Court could be disregarded with impunity, and those who chose to treat such process with disrespect would have to take the consequences.

The Clerk called the roll of the grand jurors, all answering to their names, excepting John Alexander.

After some delay the Court ordered the Marshal to call the name of that juror at the door, to which he finally answered, and after the Court had lectured him for his delay in appearing, the clerk administered the oath to the grand jury.

The Court then delivered the charge, for a copy of which we are indebted to the courtesy of James B. McKean, C. J.

After the delivery of the charge a number of the spectators applauded and were rebuked by the Court, who said that however appropriate such demonstrations might be in political gatherings they were out of place in a Court of Justice.

The Court then appointed John Chislett foreman of the grand jury and ordered the Marshal to appoint one of his deputies to conduct them to their room and to wait upon them.

The Court then went into the business of naturalizing aliens, a large number of applicants being present.

The Grand Jury.—The following is the list of the complete grand jury:

1. John Chislett (Foreman).
2. John Alexander.
3. Wm. L. Perkins.
4. Iebel Watters.
5. Warren Hussey.
6. N. S. Ransohoff.
7. Christopher Deihl.
8. Jesse Elliot.
9. Enos A. Wall.
10. Oliver Durant.
11. James Horrocks.
12. Thomas E. Ricks.
13. Abraham Zundell.
14. Silas McGuire.
15. Francis Platt.
16. Frederick Auerbach.
17. Charles B. Trowbridge.
18. Hyrum T. Spencer.
19. William R. Judd.
20. William F. James.
21. Julius Malsch.
22. Lafayette Granger.
23. Ephraim McLaughlin.

FROM THURSDAY'S DAILY, OCT. 8.

Judge Emerson in Town.—Associate Justice P. H. Emerson, judge of the First Judicial District, is in town. He was on the bench with Judge McKean, in the Federal Court room, this morning.

Cheap Boarding.—A man named Flynn was before Justice Poyer this morning on a charge of being intoxicated and obtaining meals and refusing to pay for them, for which he was fined \$25. Instead of "bilking" restaurant keepers he will be boarded by the city for the next 25 days.

Theophilus Edwards.—John Johns, 581 and 583 State St., Chicago, Ill., is desirous of obtaining the address of his cousin, Theophilus Edwards, who left St. Ellars, Wales, for Utah about eighteen years ago. He had a number of grown up sons, who, as well as himself, were stone masons. Address as above.

Splendid Potatoes.—To-day we saw some of the finest specimens of potatoes we have ever seen anywhere. They were raised by Brother L. G. Farrell, of Logan, on his farm, at that place. They are very

large, probably none weighing less than a pound, and Brother F. informs us that the average weight is from one pound to two and three-quarter pounds. They are perfectly solid, are dry and mealy and very prolific. They are called "Breeze's Early." The seed was imported from the States three years ago, and the potatoes have increased in size every year since. We believe them to be the finest "murphies" ever raised in Utah. Parties desiring some for seed can get them from Brother Farrell.

Grand Jury at Work.—Between ten and eleven o'clock to-day the grand jury entered the District Court room which was in session, and presented an indictment. The Court asked the foreman of the jury if the latter had any further business to attend to, and the answer was that there was lots of it. The jury was then told to return to their room and proceed with the work before them.

Since writing the above we learn that Col. Thomas E. Ricks is the person against whom the indictment was found, the charge being "lascivious cohabitation." The Judge put the bonds at \$10,000, which have probably been procured ere this, and the gentleman has been released.

Lascivious Cohabitation.—From the charge under which the indictment was found against Col. Ricks, it will be seen that with all the outcry that has been made by the "crusading ring" concerning the law of 1862 against polygamy being inoperative, and for legislation to put it in force, they have avoided it in this case, whatever may be their intention with regard to any other cases they may endeavor to reach.

Everybody knows that the Territorial law against adultery was never intended by its framers and enactors to apply to polygamy. But as a commencement has been made in that direction, would it not be well for the attention of the jury to be called to quite a number of genuine bona fide cases of lascivious cohabitation, in which some exceedingly strong favorite of the "crusaders" played the leading parts? A number of those cases were tried in the Police Court, and appealed therefrom. The proof adduced then was of the very strongest kind, and doubtless it is still obtainable.

Territorial Teachers' Association.—A meeting of this Association was held last evening at the University building. After attending to some other business, the election of officers was proceeded with, the following being the result:

President, O. H. Riggs; Vice-presidents, John R. Park, W. N. Dusenberry; Corresponding Secretary, Joseph L. Rawlins; Recording Secretary, W. H. Dusenberry; Assistant Recording Sec., J. Z. Stewart; Treasurer, Karl G. Maeser.

Mr. Rawlins offered the following resolution—

"Whereas—This Association has for its object the encouragement of education in our Territory, therefore

"Resolved, That we, its members, will give our moral influence in the aid of establishing a proper system of free schools in this Territory."

The subject was discussed for and against, by a number of the members.

A committee was appointed to draft resolutions of condolence upon the death of the late superintendent, R. L. Campbell.

Adjourned till this evening at 7 o'clock.

National Educational Association.—Yesterday we had a call from Mr. O. H. Riggs, Territorial and County Superintendent of Common Schools, who returned a few days since from the East. He attended the convention of the National Educational Association, held at Detroit, Michigan, August 4th, 5th, and 6th. The Association is composed of the leading educators of the country. One of the principal questions discussed was the advisability of the general government establishing a national university, where the people of America could complete their education in every branch of learning without having to go to Europe. The sense of the Association was in favor of the proposition, and it is probable that an effort will be made to induce Congress to act

in the matter during the coming winter.

Mr. Riggs was called upon to address the convention, which he did, on the principles of education.

Besides Detroit he visited various other portions of the Eastern States. The leading schools of Pittsburg, St. Louis and Omaha afforded him good scope for observation, in matters pertaining to his profession.

Explained.—Yesterday Judge McKean, in alluding to the non-appearance of Mr. Jesse E. Murphy, summoned as talesman on Tuesday at the time he was expected, said that gentleman had shown genuine cause for his absence, it being unavoidable. The Judge made this little incident the occasion to warn people against treating with disrespect any process of the Court, which would be promptly punished, for the process of the Court, in every particular, must be obeyed. The force of the cause of all this preaching can be seen, when it is explained that the unavoidable circumstance that detained Mr. Murphy was that the summons served upon him by the Marshal cited him to appear yesterday instead of the day previous, a fact of which the Judge was aware at the time he was lecturing.

In the business of naturalizing aliens yesterday, the Judge was quite facetious. In addition to his usual catechism respecting not only the practice of, but the belief in, the Bible order of marriage, and satisfying himself regarding the previous and present law-abiding characters of the applicants, he closely questioned the witnesses of each as to their belief regarding the probability of the applicant remaining a good and law-abiding man.

One of the applicants was a lady, who passed the categorical examination without flinching.

After the conclusion of the naturalization business, the Judge lectured the new-fledged citizens soundly as to their duties as citizens, etc. Has not the Judge mistaken his vocation? He certainly ought to have occupied the pulpit instead of the bench.

## By Telegraph.

## AMERICAN

WILKESBARRE, Pa., 7.—Sheriff Whitaker went, with a large posse, to the Moosic mine, to-day, where a strike is in progress attended with some rioting, and without meeting any resistance arrested twelve of the leading strikers and brought them here and placed them in jail in default of bail.

AUGUSTA, Ga., 7.—James Gardner, for many years editor and proprietor of the *Constitutionalist*, died at his residence near this city this morning, aged 62.

The election for members of the legislature passed off quietly, there being scarcely any opposition except in a few counties to the democratic candidates; there will not be exceeding fourteen republicans in both houses, thus giving the democrats a majority of 205 on the joint ballot.

NEW ORLEANS, 7.—Gov. Kellogg has written a letter in reply to the address of the conservative committee, in which he expresses surprise at the contents of that address, and contrasts the spirit in which the proposition agreed upon at the recent conference in regard to holding the election has been received by the respective committees. While the republican committee refrained from mention of the late disturbances and from a denunciation of their political opponents, the conservatives recount the charges against the republicans, and ignore incontrovertible facts in his, Kellogg's, address of the thirteenth ultimo, which establish the falsity of such charges. He positively denies that hostilities have been planned between the whites and blacks; on the other hand large quantities of arms have been shipped to the State to arm the whites against the blacks. This was done to intimidate the negroes and overthrow the State Government. He considers, as most remarkable, the statement that he inaugurated conferences to adjust the troubles, and that he selected a committee to meet a committee selected by McEnery. He was not even present when the committee from their side called at the custom house and desired a conference, when they promised that they would attempt to secure fair registration and an

election untrammelled by violence. He and his party, he says, have carried out strictly the agreement made at this conference, and he trusted the conservatives would do the same, and also suppress disturbances, which they were pledged to do. He says that a promise to cease violence and intimidation was made with no reservation on the part of the conservatives, and was not dependent on the execution of agreements. He adds, "Permit me to say, in conclusion, that the whole tenor of your address, which assumes towards the republican party a tone of superiority and acrimony, ill becomes the subject or occasion."

"Very respectfully,  
(Signed) "WM. P. KELLOGG."

HOLLY SPRINGS, Miss., 8.—Last night a mob of negroes, numbering about forty, took James Perkins and Wm. Ravenswood, colored from jail and shot them dead, avenging the death of Mack Hill.

CHICAGO, 8.—A Washington special says that the postal telegraph scheme, persistently advocated by ex Postmaster General Cresswell, it is understood, will not be recommended in the report of Jewell and it is also understood that it will not be alluded to in the message of President Grant to Congress.

The *Times'* Washington special says when General Sheridan was in Washington, attending the Sherman wedding, he, in an interview with Attorney General Williams, told that officer that to withdraw any of the force now under his command would tend to cripple him in his aggressive movement against the Indians. It was tacitly agreed that he should not be called upon for any of the military in his department. To-day an order was issued, which indicates that there is some impelling motive at work that has succeeded in breaking that agreement.

NEW YORK, 8.—The committee having in charge the remains of the late Mark Smith, announced that the funeral will take place Sunday at 1.30 p. m. at the "Little Church round the corner," Rev. C. Houghton, rector. The following have been chosen pall bearers: A. Oakey Hall, Lester Wallace, Whitelaw Reid, Max. Strakosch, Wm. Stewart, John Gilbert, Charles Fisher, Wm. Winter, H. D. Palmer, H. C. Jarrett, Douglas Taylor and A. M. Palmer.

At the 10th annual convention of the National Association of Wool Manufacturers yesterday, nearly every section of the country was represented. A resolution was submitted by the executive committee, in opposition to the proposed reciprocity treaty with Canada, being prejudicial to the wool industry of the country. It was adopted unanimously.

The *Times'* special correspondent at New Orleans sends the following, dated 7th inst.

"Frank Morey, Congressman from the fifth district, this evening sent a communication to S. B. Packard, chairman of the Republican state central committee, in which he states that intimidation, organized and thorough, prevails in the parish of Union to such an extent that more than three hundred of the colored voters will register. He states further that a similar state of things exists in Clayborn, Lincoln, Jackson and Franklin parishes."

A London bullion circular of Sept. 26th quotes bar gold at 77s 11d per ounce; standard do. parting 71d per ounce; standard dubloon Spanish 75s @ 75s 6d per ounce; Mexican and South American 71d @ 73s 9d per ounce; U. S. eagle 76s 3/4d per ounce; for silver 4s 9d per ounce; standard do. containing gold 5 grains and upwards 4s 10d per ounce; Mexican dollars 4s 8d per ounce.

NEW ORLEANS, 8.—Reports were published here yesterday of trouble in St. Martin's parish and that the White League was under arms. The following dispatch received here from prominent citizens of New Iberia, contradicts the reports—

"Col. De Blane, who is here to-day, says the statement concerning affairs in St. Martin's, published in certain papers yesterday, purporting to be based on dispatches, are utterly false. Neither at the time nor since the arrival of the troops has the citizens been under arms. In this part of the parish, all are quietly gathering their crops."

The Advisory Board held a stormy session yesterday, lasting five or six hours. Mr. Packard introduced a resolution stating that the White League were still being