

Correspondence.

LOGAN, Cache Co.,
Nov. 27th, 1870.

Editor Evening News:—Dear Sir:—I find myself this evening in the metropolis of Cache Co.,—Logan—for the first time in three years. Many improvements have been made since my last visit, not only in Logan, but in the other settlements of the county, so far as I have yet visited. It is really surprising to see what has been done in this respect here, taking into consideration the heavy losses the people have sustained by the ravages of the grasshoppers.

In remarking the changes that have lately taken place, in no place through which I have passed are they more noticeable than in Ogden. That city, to-day is not the quiet little burg of three years ago, but a busy railroad town, and it is questionable whether the change there is for the better. If order and good society are considerations, surely it is not, for with the railroad to Ogden has come its roughs, its drinking and billiard saloons and similar institutions. Yet withal the town is orderly and the municipal laws strictly enforced.

I was particularly pleased with the appearance of the settlement formerly known as "Muskrat Springs" but lately re-named, in honor of our respected delegate, Hooper City. It is situated on the Weber range, midway between the Weber river and Kayville, and near the shore of the lake. It is a thrifty and well organized young settlement, containing a number of good frame houses. The soil there is of a warm sandy nature, and well adapted to fruit growing, and the settlement will, without doubt, in a few years become one of the best in the Territory. I have visited nearly all parts of the Territory and as a suitable place for starting a new farm I consider it the most desirable locality I have yet seen. The canal by which the water is conveyed to it, is to be enlarged the coming winter, and much more land will then be brought under cultivation.

G. C. L.

ENSIGN PEAK,

December 5th, 1870.

Editor Deseret News:—Before Charles the First of England would give his assent to the Petition of Right, in 1628, he sent for the two chief justices, Hyde and Richardson, to Whitehall, and propounded certain questions which he directed them, and their brethren on the bench, to answer. One of these questions was: "Whether, if the King grant the Commons' petition, he doth not thereby exclude himself from committing or restraining a subject without showing a cause." Hyde reported this response: "Every law, after it is made, hath its exposition, which is to be left to the courts of justice to determine; and, although the Petition be granted, there is no fear of conclusion, as is intimated in the question."

In the *Petition of Right*, which is the second great charter of the liberties of England, the King had bound himself never again to raise money without the consent of the houses, never again to imprison any person, except in due course of law, and never again to subject his people to the jurisdiction of courts martial.

The *Petition of Right*, as well as the *Habeas Corpus* Act, passed during the reign of Charles the second, in the year 1679, owe their origin, to some extent, to the famous suit of Sir Thomas Darnel and others. These men had refused to pay the money which Charles I. exacted under the name of loans. They were committed to prison *per special mandatum domini regis*, (by special command of His Majesty.) In November, 1626, they sued the Court of King's Bench for their writ of *habeas corpus*. The writ was granted; but while the preparations for the suit were going on, the Attorney General was directed by the government to sound Chief Justice Randolph Crewe, respecting his opinions on the agitated points. Sir Randolph Crewe held to the opinion that the tax was illegal, and that the King "can not imprison any of his subjects without a warrant specifying the offence with which they are charged." He was immediately dismissed from office, and Sir Nicholas Hyde, who was esteemed more obsequious, was appointed Chief Justice in his place. Before this Judge the suit came off accordingly. It was argued by Noy, Selden, and other eminent lawyers on behalf of the

claimants, and by the Attorney General, Heath, for the Crown; and it is shown by the arguments of these eminent lawyers that the fundamental immunity of English subjects had never before been so fully canvassed.

The counsel for the prisoners founded their demand for liberty on the twentieth section of the *Magna Charta*, which provides, that "no freeman shall be taken or imprisoned unless by lawful judgment of his peers, or the law of the land." This principle was followed up by citing the statutes that had been repeatedly enacted to redress this material grievance; such as, in the 25th of Edward III, where it is provided that no one shall be taken by petition or suggestion to the King or his counsel, unless it be by indictment or presentment, or by writ original at common law. The advocates of this principle, after going over all the acts of Parliament upon the subject, and all the cases at common law, from which any precedent could be alleged, concluded with the dictum of the Apostle Paul, "It is against reason to send a man to prison without showing a cause."

The Attorney General answered in what is considered a very able speech. He based his argument on the legal maxim that "the king can do no wrong," and intimated to the judges that they were placed on the bench to obey rather than to determine. "Shall we," he said, "make inquiries whether the king's commands are lawful? Who shall call in question the justice of his actions? Is he to be called upon to give an account of them?" He dwelt upon such statutes as were either in direct favor of the king's prerogative, or whose loose language could be turned in favor of it. He went over all the precedents and statutes cited on the other side, ingeniously contending that they were either inapplicable or contrary to law.

Whenever I hear, Mr. Editor, a judge commence his "opinion" or "decision" with a pretence to extraordinary reverence for the laws; "that he is bound by the most sacred of oaths to observe them, etc." I always imagine that I see mischief in his eye. I suspect that he uses such language only as a palliation for trying to run a personal enemy, or to crush a party that may differ with him in matters of religion or politics; or whose great forfeitures would fill the treasury so that his party, notwithstanding great leakages, may use the plank, "great financiering," in their platform at the next election. I shall not mention what extraordinary language is required when such a conscientious judge feels himself embraced by that lovable matron—bribe.

Chief Justice Hyde commenced his opinion with expressing profound reverence for the laws, that he and his brethren on the bench were sworn to administer justice equally to all people, etc. Said he "The court must be governed by precedents;" and then declared that the precedents that had been cited were insufficient in the mind of the judges, to deliver the prisoners by a *habeas corpus* in this court, "for" he added, "we know not the cause of commitment." He concluded thus: "What can we do but walk in the steps of our forefathers? Mr. Attorney hath told you the king has done it for cause sufficient and we trust him in great matters. He is bound by law, and he bids us to proceed by law; we are sworn to do so, and so is the king. We make no doubt the king, knowing the cause why you are imprisoned, will have mercy. On these grounds we cannot deliver you, but you must be remanded."

Mr. Editor, with your permission, I may return to this subject again.

KRATZ.

MINISTERS OF THE GOSPEL WANTED.—Speaking of the appointment, by the Los Angeles conference, (denomination not given) of the Rev. Mr. Groves to labor at Prescott, A. T., the *Arizona Miner*, of the 19th ult., says:

"Can it be that we are going to have a minister of the gospel? Hope so, if he be a good one."

We should judge, from the above, that there is a splendid opening for missionaries in Arizona. We have two or three hereabouts who profess great anxiety for the welfare of souls. Among the Saints there is really no show for their benevolence; while among the sinners, in the great majority of cases, their labors would be more useless still; for the Territory is just now infested with a miserable horde who are entirely destitute of souls, or if they do possess any there is not enough to be saved. Arizona is a splendid field for missionary efforts: if unsuccessful among the white sinners, martyrdom, a glorious thing for a missionary, could be easily secured among the savages. We recommend this to their consideration!

[SPECIAL TO THE DESERET NEWS.]

By Telegraph.

Per WESTERN UNION Telegraph Line

LISBON, 3.—It is said the Queen has telegraphed Aosta announcing a journey to Madrid with the Spanish deputation.

Cialdini is certain to be Italian minister at Madrid.

LONDON, 3.—The Saxon losses from the 30th to the 2nd are about 1,800. Four regiments, the 104th, 106th, 107th and 108th, lost fifty officers killed and sixty-three wounded. The French prisoners taken number 3,000.

BELFORT, 3.—The bombardment began at Versailles on Saturday night. The French before Vincennes were reinforced on Friday. In the fight Treskow's division took seven guns and 1,800 prisoners, including one general and two staff officers.

LILLE, 4.—The Prussians in the north have retreated toward Rheims.

LYONS, 3.—There was fighting all day on Saturday between Autun, Arnay and Le Duc. General Cremer actively pursues the enemy.

TOURS, 4.—The second Prussians have captured Fereminiere, Greillonville, Noneville, Ville Pain and Reuin. It is reported there was heavy fighting yesterday. The Pontifical Zouaves lost three-quarters of a battalion. Charette is wounded.

Gambetta has gone to Orleans to consult with the officers of the army of the Loire.

A battle on Friday, in which the sixteenth and seventh corps were engaged, was protracted and sanguinary. There were great losses on both sides. The Prussians used heavy artillery. The army of the Loire will receive large reinforcements.

It is rumored that Ducrot is still near Paris and has been reinforced and will speedily take the offensive.

The *Moniteur* publishes a circular to the neutral powers, setting forth the cruelties perpetrated by the Prussians during the war.

TOURS, 5.—The French evacuated Orleans on the fourth instant, and the Prussians have since occupied the place. At midnight of the day previous the Prussians had demanded its evacuation and threatened to bombard the city, if the demand was not complied with. Before leaving the French spiked the guns of the marine batteries and destroyed the powder. The retreat was made in good order.

VERSAILLES, 5.—The French decision from Cheville, has abandoned Champigny-sur-Marne, and is now massing near Creteil. The cold is intense. The troops suffer severely from exposure.

Motley had a farewell audience with the Queen at 3 p.m. on Tuesday; Moran takes charge of the legation.

VIENNA, 2.—The reply of Russell to Von Beust's last note is received. It is identical with the answer of Gortschakoff to Granville.

LONDON, 5.—It is rumored that Erlanger has gathered vast quantities of provisions at Havre for the inhabitants of Paris when the siege is over.

The Germans claim to have fought, at Beaune, with only 11,000 men against 30,000 of the French.

HAVANA, 5.—French war vessels continue to cruise off the Cuban coast for the purpose of intercepting the German steamers from New Orleans.

De Rodas leaves the island on the 15th. He liberated the remaining four thousand negroes on emancipation day, leaving no black slaves on whom the government has claim.

TOURS, 5.—The government has received, by balloon from Paris, an official report, up to the fourth, of the progress and results of the movement made by General Ducrot against the Prussian lines of investment. It is stated that Thursday was passed in burying the dead and succoring the wounded. On Friday morning the Prussians attacked with great force, the French at Champigny, and in front of Villiers. After seven hours firing the enemy failed to carry the position of the French and retreated, leaving their dead and wounded on the field. Their losses were from fifteen to twenty thousand. General Ducrot greatly distinguished himself in the battle of Friday. Among the killed is General Sacharier, and General Renault is badly wounded. General Sornitz, in his report, says the troops who attacked the French were Saxons and Wurtembergers; their numbers exceeded a hundred thousand. Their losses must have been extraordinary, for, the next day, they were so weakened that they suffered the French to cross the river unopposed. The successes of the French troops created the wildest enthusiasm in Paris.

CANCER INFIRMITIES!

To the Afflicted.

CANCERS, Ruptures or Breaches, Fever Sores, White Swellings, Wens, Salt Rheumatism, Scrofula, Scald Head, Pimple Face, Freckles, Sore Eyes, Asthma, Consumption, Lung Disease of all kinds. Gathering of the Head or running at the Ear, with all the above diseases mentioned, the Doctor makes a specialty of. No cure no pay.

DR. H. P. TOMPKINS,

W44 6m

BRIGHAM CITY, U. T.

TO WHOM IT MAY CONCERN.

THAT cash entry, No. 211, for the town of Santaquin, embracing the S W quarter of S half of Lots 3 and 4 of N W quarter of Section 1, Lot 1 and S E quarter of N E quarter and E half of S E quarter of Section 2, in township 10, south of range No. 1 east.

Also, cash entry, No. 212, for the town of Cedar Fort, embracing the S half of N E quarter and N half of S E quarter of Section 8, S half of N W quarter, N half of S W quarter, S half of N E quarter, Lots 1 and 2, N half of S E quarter, S W quarter of S E quarter of Section 5, in township 6, south of range No. 2 west.

Also, cash entry, No. 386, for the town of Fairfield, embracing the S E quarter of Section 29, W half of S W quarter of Section 28, N W quarter of N W quarter of Section 33, N half of N E quarter, N half of N W quarter of Section 32, in township 6, south of range No. 2 west, have been suspended for further proof.

And this is to notify all claimants that on the 2nd of January, A.D. 1871, at 10 o'clock, a.m., I will appear at the U. S. Land Office, Salt Lake City, U. T., to make the proof required, and show that I am entitled to have the entry of said land, confirmed under the town site Act of March 2nd, 1867, for the use and benefit of the inhabitants thereof, at which time and place any person or persons can appear and contest if they see proper.

GEO. W. BEAN, Probate Judge,
Provo City, Nov. 30, 1870. W44 1m

DOOLEY'S YEAST POWDER

Is now regarded as the STANDARD BAKING POWDER, and the best article prepared for making light, wholesome and delicious BISCUITS, ROLLS, BREAD, GRIDDLE and other CAKES, &c., &c.

It is infallible, and always ready for immediate use. The best YEAST POWDER for use on long SEA VOYAGES to ANY PART OF THE GLOBE.

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PETROLEUM FLUID!

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Thousands have perished by using kerosene oil, and thousands more will be offered a sacrifice to its death-dealing properties without its use is discontinued or its destructive element done away. If a fluid capable of a far more brilliant light,

Cheaper, More Cleanly and Perfectly Free from the Danger of Explosion!

can be found, is it not perfectly suicidal to delay for a single day to use it? Such a fluid, by years of patient experiment and the expenditure of over fifty thousand dollars, has been provided by R. F. DANFORTH, of Cleveland, Ohio, and it has been introduced to the public with great success.

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1st. That it is Non-Explosive and perfectly safe in whatever form used.

2d. That it is entirely free from filth and grease, and will not stain silks or fabrics of the most delicate colors or tints.

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4th. That it gives a purer, more brilliant and at the same time a softer light than any oil or fluid in use, and is fully equal to gas light.

5th. That it is (except daylight) the cheapest light ever discovered.

Surely, if the fluid is as above represented kerosene oil should be discarded in every family where it is used, and the Danforth Fluid used in its stead. Not to use it would be trifling with the lives and property of every member of the family.

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