EVENING NEWS.

PUBLISHED DAILY, SUNDAYS EXCEPTED AT FOUR O'CLOCK.

DAVID O. CALDER, EDITOR AND PUBLISHER.

Friday, - November 12, 1875.

NEWS OF THE DAY.

—Extensive districts in England and France are threatened with floods.

—The Queen of Holland is improving.

—Ten persons killed and a hundred injured by a colliery explosion in Belgium.

—The Turkish prime minister is seriously ill.

—One or two living persons have been rescued at sea and several dead ones recovered who were on board the steamer *Pacific*.

—A terrible tale of suffering at sea in to-day's telegraphic news, owing to the wreck of a ship from Glasgow.

—Mutiny and murder on board the British ship *Lennie*.

—The captain of the steamer *Pacific* was a brother of Mrs. Jeff. Davis.

—The Vice President of the U. S. is improving.

—A very heavy shock of earthquake in Tennessee this morning.

—Three children killed in Philadelphia to-day.

PECULIARITIES THAT PREVAIL IN UTAH.

THIS Territory is a very peculiar place, and inhabited by a very peculiar people. Things are done in a very peculiar manner. They are done very differently here to what they are in other parts of the Union. But the most peculiar of all peculiar things are done in the courts. Not only the press but even the administration is staggered at some of the peculiar things done here in judicial matters, as for instance imprisoning a man for refusing to pay alimony to a woman whom the courts say the law does not recognize as his wife, which must mean that any woman can obtain alimony from any man, if she will only set the sleuthhounds of the law at him.

It is usually considered that the business of the courts is to administer the laws, impartially, according to the true spirit and intent thereof. It is further admitted that the best and most impartial judges are those who do not enter largely into the passionate politics of the day, and who especially do no not lend themselves to petty partizan prejudices, or to the local prejudices in their districts. But in Utah things are done very differently. There have been judges here who have exhibited the bitterest party prejudices, who apparently have sold themselves body and soul to party and local prejudices and animosities. All their decisions, or nearly all, have taken color from these prejudices and animosities, insomuch that it has been ed a rare and noteworthy circumstance when a ruling of theirs has not been so manifestly tinged.

But some of the most peculiar things judicial done here arise out of the extended jurisdiction which some of the courts have assumed. Some of them have not merely assumed to administer the law, but to make the law, thus adding the legislative to the judicial capacity, two branches of the government which the Constitution and the law have kept distinctly separate and independent. Some of those judges have assumed that to be law which is not law, and those officers to be officers of the law who are not officers of the law in the special cases, thus virtually making law for themselves to administer. Making the law, they could make it to please themselves, which was a very convenient arrangement for them, excepting for the existence of the Supreme Court of the United States, which, being beyond the influence of these petty prejudices, could not see things in the same light as the prejudiced judges in Utah, and therefore could not understand the propriety of mixing the judicial and legislative functions in the persons of the incumbents of the Utah bench.

Among these judicial peculiarities arising out of this assumed extensive jurisdiction are the persons, matters and things which these prejudiced judges assume to be on trial before them. Elsewhere it is understood that the business of the courts is to try persons, legally and regularly charged with crime, according to the established methods which the law has prescribed. But things are done differently here in Utah. A late chief justice was possessed with the mania, and he declared it from the bench, that the case before him was really the Government of the United States *versus* Polygamic Theocracy. He absurdly thought he had to try not a person or persons charged with crime, but a system of religion, and this he made his mission at every favorable opportunity while on the bench. An associate justice declared to a grand jury that the people of this Territory were on trial, the Government of the United States was giving them one more trial. And further the associate justice, by some occult psychological process, got it into his sapient noddle that it was his mission to threaten the jury and the people with some kind of indefinite terrible legislation which Congress would accomplish touching Utah, unless the jury acted in such and such a way. A judge must feel as wise as an owl to talk in that way to a jury.

We have also seen that an associate justice has considered it his business to put the "Mormon" church on trial, or, in other words, to try the question whether a member of that church is fit for a juryman. But the most wonderful thing in this connection is the fact that a judge who had the uncommon sense to use the time of the court in considering such a question, had also the common sense to render a sensible decision upon it.

One of the most peculiar peculiarities of these prejudiced judges is the Satanic glee with which they make a prejudiced ruling which they hold to be non-appealable, and judging by their intense self-satisfaction over such rulings, one can imagine them laughing in their sleeve and chuckling to themselves, "We should like to see the superior court reverse that ruling! That is one of the things in which our power is stronger than their legal wisdom!"

We have many times suggested that these peculiarities were all wrong, but it has seemed to be of little avail, for the authors of them have been as blind as bats, they cannot see many things as they should be seen and as they really exist, and consequently they have run their own wilful course until they have run against a superior court snag, the checking force of which they were bound to acknowledge, although such has been the absolute blindness of their prejudiced minds that they have obstinately maintained that they are altogether right and the superior court is altogether wrong.

By Telegraph.

FOR WESTERN UNION TELEGRAPH LINE.

Last Night's Dispatches

Burned.

DETROIT, 11.—The rolling mills at Wyandotte, owned principally by the estate of the late E. B. Ward, were partially burned to-night; the loss is estimated at between $20,000 and $30,000.

Not Dead.

ST. LOUIS, 11.—The *Republican's* Kansas City special says that one of the soldiers, named Burnhardt, reported killed in a fight with a band of Cheyenne Indians, near Fort Wallace, Ks., two weeks ago, was found wandering on the prairie last Tuesday by a party of soldiers out hunting; he lost his horse in the fight and hid himself in the grass, but was afterwards found by two Indians, whom he kept at bay ten hours.

$14,000 Fired.

PITTSBURG, Pa., 11.—McPhillary & Co.'s flouring mill at Sharpsburg, Pa., was burned yesterday; loss $14,000, partially insured.

Mississippi Valley Association.

NEW ORLEANS, 11.—Jefferson Davis has accepted the Presidency of the American Department of the Mississippi Valley Society of London, tendered him by the parent organization; the object of the movement is to direct attention to the development of the commercial, agricultural and mineral resources of the Valley of the Mississippi. Davis will devote his entire energies to the working of this association in this country and Europe, making his headquarters at New Orleans.

CANADA.

Saved from the "Pacific."

LONDON, Ont., 11.—Conductor Frazer received a telegram from his brother, who was a passenger on the ill-fated *Pacific*, saying that he had been saved from the wreck; he and Jelly are both from this city.

FOREIGN.

Stormy Weather.

LONDON, 11.—The weather in England and France during the past week has been very stormy; a heavy wind has been almost incessant, and rains have fallen, and many parts of both countries are flooded, and vast districts are threatened by rising rivers.

Spain and the Vatican.

The note of the Vatican, in reply to that of Spain, treats the Spain question from the standpoint of religion and the principles of the Concordat, which it says must not be departed from. The Vatican does not desire to embarrass the new Spanish government, and particularly wishes to assist it, but only by such means as would be truly efficacious, and which would not permit a rupture of that sacred tie which has always been the glory of Spain. The religious unity which it is now sought to banish cannot impede the development of civilization, but is on the contrary its true beacon. It is the duty of the Papacy to combat, not civilization, which is brought forward merely as a pretext, but the corruption invading the heart of the nation. In persisting upon the ground asserted, the papacy believes it renders great service, not only to the Spanish government, but to all Spain. The conduct of the Papal Nuncio and of the Vatican must be regarded from this point of view. But if Spain, moved by supreme necessity, wishes to draw up an understanding on the same principles under another form, the papacy is open to negotiate with the object of introducing acceptable modifications into the concordat; and after each one has declared its views, it is to be seen how far the Vatican can accept the draft of the new constitution. In conclusion, the Vatican accepts the declaration of the Spanish government that it is desirous of coming to an understanding, and states that the introductions to negotiations have been given to the Nuncio at Madrid.

HOLLAND.

Improving.

THE HAGUE, 11.—The Queen of the Netherlands, who has been suffering from fever, is now slowly recovering.

FRANCE.

The Electoral Question.

PARIS, 11.

The lobbies, floor and galleries of the Assembly were crowded to-day, and great excitement was manifested over the debate on the electoral bill. M. Ricard, moderate republican, opened the discussion. He stigmatized voting by arrondissement as an attack on universal suffrage, and declared that M. Buffet had endeavored to retain the prefect of the empire now because he repudiated the majority which voted the Constitution of Feb'y. 25th, and wished to re-establish the electoral system of the empire. "We demand," continued the deputy, "the *Scrutin de Liste*, which will preserve the alliances formed on the 25th of Feb'y." M. Dufaure, minister of justice, replied, saying that the government would not accept the next elections. "All who vote for constitutional government will say to them, "Thank you for voting the constitution, but we require more. Your republic is now ours, you will not have our confidence or our vote." The declaration caused an uproar of denunciation, and a dissent on the left of the Chamber. M. Gambetta said that the *Scrutin de Liste* was the only method of uniting the energies of all: "we must no longer proclaim our disunion to Europe. The ministry opposes the *Scrutin de Liste* because it is afraid of universal suffrage. By the arrondissement system men like Thiers and Dufaure will be defeated if they are against the government, and loyal officials will be able to warp the suffrage."

A vote was taken by means of the secret ballot, and resulted in favor of the government, standing 357 yeas to 326 nays. The government did not make the matter a cabinet question.

The "Ville de Paris."

HAVRE, 11.—The steamship *Ville de Paris* remains in the same position. It is impossible to proceed with the preparation of docking her, owing to the continuance of the gale; preparations are making to discharge her cargo.

RUSSIA.

Confirmed.

ST. PETERSBURG, 11.—The *Golos* newspaper says, of a recent article in the *Gazette*, that it confirms the peaceful sentiment and universal agreement of the great powers on the Turkish question.

BELGIUM.

Terrible Colliery Explosion.

SERANG, Belgium, 11.—An explosion of fire damp occurred in Marialiaye colliery to-day; ten persons were killed and a hundred hurt.

TURKEY.

Seriously Ill—Bulgaria Uneasy.

CONSTANTINOPLE, 11.—The Grand Vizier is seriously ill.

The present political state of affairs causes uneasiness in Bulgaria.

IRELAND.

Ceremonies at the University.

DUBLIN, 11.—Cardinal McCloskey assisted at the commencement of the Catholic University to-day; he was presented with an address, to which he replied that the establishment of a Catholic university here was an example for America and all other countries.

CHINA.

Gone to Yunnan.

SHANGHAE, 11. — The British commissioners left Hankous for Yunnan on the 10th inst.

SPAIN.

More Troops for Cuba.

CADIZ, 11.—Eight hundred soldiers sailed for Cuba yesterday, and 5,000 more are preparing to embark.

TO-DAY'S DISPATCHES.

EASTERN.

The U. P. R. R. and Court of Claims—Business Prospects.

NEW YORK, 12.—The *Herald* editorially doubts the story of Jay Gould's private advice that the Supreme Court has determined to affirm the Court of Claims' decision in the U. P. Railway case. His ability to purchase such advice and information would necessarily involve the honor of some member of the court. The *Herald* believes that the story is cunningly devised for speculative purposes, and characterizes the Union Pacific as a dangerous stock, which does not represent a dollar of contributed capital, and it is only natural that some one is anxious to sell all the shares which dupes can be induced to buy.

Business men, according to the mercantile agencies' reports, do not regard the numerous small failures this season as serious, and the belief seems general that the business depression has passed its extreme point, but the upward movement being rarely experienced so late in the Fall it is not expected before Spring.

Mutiny and Murder—The "Waco"—Failed.

A special from London says that a telegram from Rochelle, dated November 11th, states that a bottle, containing the following message, was picked up, Nov. 8th, off the coast of Nieuewediep: "The crew of the British ship *Lennie*, Captain Hatfield, from Antwerp for New York, mutinied on the 31st of October, and killed, the master, mate and boatswain." A telegram from Rochelle, dated November 10th, states that a government steamer discovered the British ship *Lennie*, off Yarmouth, with a boy and five men on board, four of whom are supposed to be accomplices in the mutiny. Six of the crew are Greeks, and escaped in a boat the previous evening.

The steamer *Waco*, burned in Galveston harbor, had on board 300 cases of petroleum. The vessel had no right to carry this oil, being without the necessary certificate, and her owners will be prosecuted.

Bondy and Schwartzkoff, tobacco dealers, have failed, and will probably pay twenty-five cents on the dollar. They say the tobacco trade has been depressed, and they have sustained bad losses.

Terrible Suffering at Sea.

The brig *Centaur* arrived from Greytown yesterday. On the 2nd of October she picked up a Spanish negro in a boat belonging to the bark *Toronto*, of Glasgow, wrecked near Navasse, but when and under what circumstances could not be learned from the negro. The crew abandoned the bark in the same boat, and all perished except the negro, and he was insensible when found.

A reporter has had a talk with the rescued seaman, from which it appears that soon after leaving Navasse, a furious storm arose, and at 11 o'clock at night the foremast broke off close to the deck; they cut away the mast, and an hour after the main mast gave way, leaving only the mizzen mast. The captain was below sleeping, and the first mate was lying on the deck disabled by a nail in his foot. Land was then discovered and the captain was called, under whose orders all hands took to the long boat, which was almost filled with water, and seven of the men were washed away. Some of them, who clung to the oars, were soon washed away, and the violence of the waves speedily carried the boat away from the vessel. There were now seven men in the boat, with no provisions. For days they drifted without food, but securing a little water from rains. From Maxima's account it seems clear that the men lost their reason. He describes them as walking about, looking at the sea and sky; some leaped into the sea, some lay on their backs with their parched mouths open, and so died; others lay against the boat side until they died, speaking not a word to their comrades. One by one they all went, throwing themselves or being washed into the sea. At length he alone was left. He ate sea weed to sustain life. He caught a sea bird occasionally, and sometimes a fish. When found he was drifting alone helplessly, and was reclining against the side of the boat, his head drooping over his bosom. He could not move. The boat of the *Toronto*, on board the *Centaur*, shows where it had been scraped by the men for the purpose of eating the dirt that clung to the sides.

$25,000 Fire—The Ministers Praying.

The Union Club building, on Fifth Avenue, was damaged $5,000 by fire this morning; insured.

This morning the ministers held a meeting in the lay college adjoining the Brooklyn Tabernacle, and spent an hour in grayer for God's blessing and aid; there were over one hundred clergymen from various churches. They then entered the tabernacle, and Moody had the doors closed that they might have a few moments of silent prayer undisturbed. After prayer the doors were opened, and when the building was filled to its utmost capacity and the gates were again closed, Moody prayed for a blessing.

More Failures.

Two failures in the butter and cheese trade are announced, Armstrong & Morrison and G. S. Doremus & Co.

Children Killed.

PHILADELPHIA, 12.—A dwelling house on Thirty-ninth Street, below Market, West Philadelphia, fell to-day, killing three children playing around it.

The Captain of the "Pacific."

MEMPHIS, 12.—Captain Jef. D. Howell, commander of the steamship *Pacific*, lost a few days ago on the Oregon coast, was a brother of Mrs. Jefferson Davis of this city, and a native of Natchez, Miss. he lived in New Orleans several years, and served as midshipman under the Confederate flag with Admiral Semmes. "Some months since he was promoted to the command of the *Pacific* for the gallantry he displayed in rescuing shipwrecked people during a violent storm.

Mr. Wilson Improving.

WASHINGTON, 12. — When the Vice-President awoke this a. m. he said he felt better, and now he wants to read the newspapers. Dr. Baxter has now more confidence than ever that he will recover, and be out again in a few days.

Heavy Shock of Earthquake.

KNOXVILLE, 12.—The heaviest shock of earthquake ever felt here occurred at 2 a. m. to-day, and lasted ten seconds, causing the buildings to sway.

No Trace of the Lost.

NEW ORLEANS, 12.—A Galveston special says that Captain Sawyer, agent of the Mallory line, returned late last night. He states that they sailed forty miles southward and to the westward, taking in the entire limits of the main track of the Gulf, which was thoroughly searched. They found a dirkey boat belonging to the lost vessel, bottom up. It had not been scorched. A set of steps were also found. Captain Sawyer says that large quantities of freight from off the deck of the *Waco* were found floating, among them cases of astral oil, which was stored on her upper deck and he thinks this freight must have been thrown over by the crew. Among the articles picked up was a jacket life preserver, from which the string was torn; no clue was found as to the fate of any of the people. Captain Sawyer started out again this a. m. to continue the search.

FOREIGN.

GREAT BRITAIN.

Detached from Herzegovina.

LONDON, 12.—The Porte has ordered the districts of Trebigne, Bileiz, and Piva to be detached from Herzegovina, and to be organized as a separate department, which will be placed under an Armenian Greek governor.

SPAIN.

Cabinet Council.

MADRID, 12.—An extraordinary cabinet council was held to-day, to discuss the reply to the note of the United States relative to the execution of the treaty of 1795.

Correspondence.

More Flumes or Bridges—Plenty of Money—The Dictionaries—Kind Suggesters.

Nov. 11, 1875.

Editor Deseret News:

The time is coming for the streets to be in bad condition, part of the time at least. Mud and slush and snow and ice will trouble the teams, and the street-crossings, some of them, will be provocative of profanity. Would it not be a good thing if all the worst of the creek crossings in the streets were flumed or otherwise bridged, if not all the way across the street, at least for a distance wide enough for a team to cross over, say twelve to twenty feet? Then again, the sidewalks, some of them, will be in no delightful condition. There are many places where the side-walks are crossed by ugly water-ditches, which certainly ought to be flumed or covered over in some way before winter. To come out of a ball room at midnight some cold, frosty or snowy midwinter night, and after going a few rods find yourself floundering in a damp water-ditch in the middle of the sidewalk, is a sort of cold comfort experience that one does not wish to enjoy very often.

Our good old uncle at Washington must have plenty of money, so much that he does not know how to get rid of it, how to spend it fast enough, or else would his appointees here incur needless public expense in discussing fundamental questions which were authoritatively settled a century ago, ere the foundation of the government was laid or the morning stars of this great republic sang for joy? To me it appears foolish beyond expression for a court to waste its time and the time of others in discussing the eligibility or ineligibility of religious people to sit on juries. In my humble opinion it is foolishness of the very moistest variety. What will they discuss in the courts next? Perhaps the eligibility or non-eligibility of religious people to be tried by a jury, or the mighty question whether they have any rights whatever that non-religious people like judges are bound to respect. When people once step out in a career of palpable folly, there is no telling to what extremes they will go if they have opportunity.

A local journal advocates Webster's Dictionary for five reasons—3,000 engravings, full vocabulary, simple and comprehensive definitions, information of various kinds and typographical excellence. Typographical excellence is not confined to Webster's Dictionary. Two genuine, essential dictionary characteristics—the "vocabulary" and the "definitions," Webster's, has. The "information" is also acceptable. The "engravings" are accidental, intended to beautify and popularize the work, but have little weight with scholars. Pronunciation is an essential, and in this Webster's has its equals. The one great overshadowing defect of Webster's is the orthography. This does not receive the sanction, and is contrary to the practice of the best scholars and writers in the language, both in this country and in England. It may be said perhaps with entire truth that but for its orthography Webster's would be the best dictionary in the English language extant. But orthography is a very important particular, and in this the usage of the best scholars and writers in the language should be carefully followed, in order to avoid as far as possible needless, futile and perplexing changes in the language, and even corruptions of it. If changes in orthography are not sanctioned and adopted by the generality of the best scholars and writers, they should be rejected, because the only true standard of a language is the usage of the great body of the acknowledged masters of the language.

Don't you think it really kind of those eight persons who took it upon themselves to invite a number of prominent citizens to hold a legislative primary, to take into consideration the things which the Legislative Assembly ought to consider and the laws which they ought to enact during the coming session? As "Paris is France," so "Salt Lake City is Utah," must be the opinion of that benevolent eight. What Salt Lake thinks the Legislature should do, of course the Legislature ought to do. There can be no doubt of that; the opinion of 100,000 people of the Territory, outside of this city, to the contrary notwithstanding. However, let us hope that good will come of it, and that the suggestions which may come to the Legislature from the deliberations of these eight gentlemen and their invited co-laborers will be adopted if really worthy of adoption.

RAMBLER.

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THE TAX PAYERS of SALT LAKE County are hereby notified that unless their County and Territorial Taxes, now due, are paid on or before November 20th, 1875, I will collect the same by Law.

R. J. GOLDING,
Assessor and Collector,
Salt Lake County.
Salt Lake City, Nov. 5th, 1875.
d29

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