

# THE EVENING NEWS.

PUBLISHED DAILY, SUNDAYS EXCEPTED  
AT FOUR O'CLOCK.

DAVID O. CALDER.  
EDITOR AND PUBLISHER.

Friday, March 19, 1876.

## NEWS OF THE DAY.

—Last night there was some fighting in the Moody and Sankey religious revival meeting, in London.

—The Spanish government accuses the brother of Don Carlos of having committed murder, arson and rape, and on these grounds demands his extradition.

—The U. S. Senate has ratified the Hawaiian reciprocity treaty.

—Andrew Egner, another of the parties engaged in the murder of Schilling, in a livery at Cincinnati, last Fall, has been convicted of the capital offense.

—Fire has done \$100,000 damage at New Orleans.

—Heavy snow in portions of the east yesterday, and damage by flood in several localities.

—No Western stocks today, cause: death of one of the members of the board.

—At a meeting of the bondholders of the Northern Pacific railway, held yesterday, in New York, measures were taken with a view to the early completion of the work of construction.

—There was an extensive fire in the Strand, London, this morning.

—The water is from five to fifteen feet deep in the streets of Port Deposit, Md.; such a flood was never known there before.

—At the agency of the Cheyenne Indians, on Friday last, among the band which recently surrendered, a white girl, lately liberated from captivity amongst them, recognized four who took part in murdering her father, mother and sister.

—Mr. Carruth, editor of a paper at Vineland, N. J., was fatally shot this morning.

—The dispatches received this afternoon say that Mr. D. B. Lowe has been confirmed as Chief Justice of Utah.

—The republican senators met in caucus again today, on the subject of the bill to come to any conclusion; several presented their intention to vote against the recognition of the Kellogg government.

—Some of the women of Boston have lately petitioned the Governor of Massachusetts, to pardon Pomeroy, the boy murderer; but today a delegation of women waited upon his excellency and urged the execution of the culprit, as necessary to the safety of society.

TELEGRAPH POLES.—In London and Paris telegraph wires are carried underground, and now the New Yorkers are very much exercised about their telegraph poles in the streets and wires in the air. The underground plan of placing the wires is proposed and opposed, but will probably be adopted eventually.

MORE TRANSMISSION OF BLOOD.—Several instances of the successful transfusion of blood from one body to another have been reported of late in the papers. Here is another report of a case of the kind, which we copy from a Washington paper—

"The patient was an inmate of the Western University hospital, and was in the last stage of consumption. His pulse, just previous to the operation, stood 103, and he was much exhausted. The blood transfusion was taken from the carotid artery of a sheep. The fresh blood seemed to infuse new life in the patient. His color brightened, and his pulse went down to 68. On the following day he appeared greatly improved in health, and although he will probably ultimately sink under the organic disease from which he suffers, the new blood has received will undoubtedly make his tenure of life considerably longer.

Advocates of the system claim that in all diseases resulting in weakness, where no organ of the body is materially involved, the effects of transfusion are very remarkable, the body becoming vitalized to such an extent as to enable it to throw off the morbid matter. It is claimed that in many cases where certain organs of the body are involved and decay has already commenced, this infusion of new blood frequently checks the decay, and restores the injured part to a healthy condition."

MARRIAGE BY PROXY.—The recently promulgated civil marriage law in Germany, it seems, occasions considerable difficulty in more ways than one, judging by the following in the German papers—

"In missionary circles the introduction of the civil marriage law has revealed a difficulty of which nobody had thought. It appears that in many German missionary societies the custom prevails of sending out preferable married missionaries, because good results are expected from the example of Christian matrimony. Now, when the wife of a missionary died during their sojourn abroad, it was usual to select a new wife from out of the reserve stock in the schools of the society, and send her to him, and in order to simplify matters the marriage ceremony was performed here by proxy before the departure of the bride. When the marriage was wholly in the hands of the clergy they recognized such a ceremony as valid. Since the promulgation of the obligatory civil marriage law a case of this sort arose, but the anxious missionary has not received a wife whom the kind care of others chose for him. For such a marriage must now be celebrated according to law, and it was impossible to find an official who could discover any warrant for performing a marriage by proxy."

UTAH MATTERS.—The following appears among the Washington dispatches in the S. F. Chronicle—

"Washington, March 16.—The removal of Judge McKean, Chief Justice of Utah, has been generally sustained. The immediate cause of his removal was the recent order of McKean threatening to disbar Whitney, an attorney-at-law, who had a personal quarrel with the Judge outside of the Court; but it is also said that McKean's arbitrary acts have caused much dissatisfaction hereabouts. A copy of the order threatening to disbar Whitney was sent to the President and is regarded as containing language unbecomingly of a Judge of the bench, and more befitting a street brawl."

"There is also a general complaint made against the action of the Associated Press at Salt Lake, who is accused of transmitting false and partisan reports of the press. The Associated Press, published by the Associated Press from Salt Lake with reference to Governor Axtell, are generally denounced, and are charged with the instigation of a political ring which desires to overthrow Axtell, who nevertheless retains the confidence of the administration."

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EVIDENCE.—The doctrine is stated and sometimes strongly pushed that grand juries must only hear evidence against a person charged, but this doctrine does not meet with universal acceptance. In charging the grand jury for the Second Judicial District of Idaho, Judge Clark thus instructed them—

"The general rule is in United States cases that you should hear no other evidence but that adduced by the Government. This doctrine has been doubted, and I instruct you to the effect that if the case for the prosecution appears doubtful or imperfect you are at liberty to call for such other witnesses as will throw out the charge or explain it away."

The proper business of a grand jury is to ascertain whether there is probable cause of criminality, not to try the case, not to hear all the witnesses that can be summoned in any case, not to hear the supposed criminal, nor his witnesses. But if the grand jury hear of a witness who, they are informed, knows important and determining facts connected with the case, do not the interests of justice require that such a witness's testimony be heard, no matter what it is? Otherwise, would not there be a likelihood of many useless, harassing, hurtful trials being commenced, to the good of no one, but to the injury of many? The end of the law is to secure justice, not to encourage vexatious litigation.

It is held that "the jury are the sole judges of the credit and confidence to which a witness is entitled," and that "the best practice is to find a true bill as soon as the jury are satisfied that the defendant ought to be put on his trial." But how are they to be satisfied that a man ought to be put on his trial if he is not allowed to send for and hear a witness who, they believe, knows the exact facts in the case?

In this view the instructions of Judge Clark to his grand jury, as quoted above, appear very reasonable and proper.

COLORADO ENABLING ACT.—Elsewhere in to-day's News will be found the Colorado Enabling Act, as it passed both houses of Congress, was signed by President Grant, and became law. This is the first act for the admission of a new State since the admission of Nebraska in 1866. The act is worth reading, as it may be considered probable that similar provisions will constitute the enabling acts, when they are passed next Winter, for the admission of New Mexico and Utah.

A GOOD WORD FOR SPEAKER BLAINE.—The Springfield Republican thus speaks of the Hon. James G. Blaine, Speaker of the U. S. House of Representatives—

"Out of the chair, as in it, James G. Blaine stands to be a force in American politics. He has made the House such a Speaker as it has not had within the memory of these now living. Clear-headed, alert, nerve wedded to tact, the rules and precedents at his finger-ends, master of himself and of the situation, he has for six years ruled one of the most unruly parliamentary bodies as it has not often ruled before. That is the acknowledgment having a man behind the gavel."

CORRESPONDENCE.

The Illinois Harvester.

GUNNING, Feb. 27th, 1876.

Bishop A. M. Mueser.

Pursuant to agreement I forward to you the following:

After having for years been dreading the tolls of harvest, and enduring the excessive struggles, physical and financial, of getting it done, a company was organized last May to send for an Illinois Harvester, which we did, and here is the result.

The machine, packed, weighed about two and a quarter thousand pounds. We put it together, we looked at it, and wondered. The loose hands and curious spectators of town gathered around to see the elephant. We hitched the horses to the machine, and the driver and I, accompanied by a few engineering faculties, and away we went with it, out into the field.

Where the bridges and gates were not wide enough for its passage, we had to pioneer its way, notwithstanding this harvester, being one of the smallest of its kind, makes only a very small impression.

Besides the four horses propelling the harvester, we had fitted out three teams, with boxes on the wagons, fit to receive the grain from the elevator, having a cubic capacity of about 250 bushels each. The first hour we could not get the belts to work on account of a defective belt, but after that we had no trouble with it.

Seven men and five span of horses is necessary force for the harvester, besides the three wagons, which outfit averages three per hour, it accomplished far more than we expected, both in economy and dispatch. The grain must be dry enough for stacking before being cut; if not, the grain will be so badly cut, that it will be impossible to find an official who could discover any warrant for performing a marriage by proxy."

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