to take effect on Monday next, the 24th inst.

THERE IS "EXTRAORDINARY."

Mr. Whitemore lost no time in inditing the following reply, in which he referred to Mr. N's position as being an "extraordinary" one:

DEAR MR.—Yours communicating of even date has been received, in which you announce that you are a candidate for the Republican nomination for the office of county sheriff, and for which nomination you state that you understand I am also a candidate, and for which reason you deem it inexpedient to longer resist your election as assistant county attorney and therefore under your proposition, to take effect the 23d inst. In reply thereto, will say that when you first announced to me some time since your intention of becoming a candidate for the position that I now occupy, you stated, if I remember correctly, that the time thereafter you had I, did not feel justified in making a request for your resignation simply upon the ground that you were an opposing candidate, and have waited until you have fully realized the extraordinary position in which you have placed yourself and your friends in regard to me. Now that you have become convinced that it is inexpedient to longer retain your present position, I feel it should be promptly sent you an acceptance of your resignation.

NO ELECTION.

The National Guard Again Fails to Elect Officers.

Today's attempt at election of lieutenants in four companies resulted as follows:

For major First Battalion, First Infantry, O. H. Grow, four votes; H. S. H. Lund, six votes; necessary for choice, seven votes; no election.

For major Third Battalion, First Infantry, Thomas Healy, six votes; O. N. Benson, seven votes, necessary for choice, seven votes; no election.

For major Second Infantry, H. D. Page, four votes; F. A. Nelsinger, six votes; necessary for choice, seven votes; no election.

New Company Organized.

The David James company is the style of the new firm just organized which has purchased from the assignee the stock of the old James-Spencer-Bateman company, located in business at 67 Main street for twenty-three years. The new company will continue along the lines of the old company, with jobbing in tinwire, and plumbing, gas, steam and hot water heating, and will keep a complete stock of stoves and ranges, granite and tinware, etc. The entire store and work shop have been overhauled and everything put in the best possible condition to facilitate the best of service in all departments. David James, the manager of the company is one of the old timers in Salt Lake, and is well and favorably known by all.

Liberty Park Concert.

Program of the Band's band concert at Liberty Park beginning at 8:30 tomorrow:

March, Bear Saw ..... Sousa
Polka, "Kentucky Belle" ..... Mackie
"Little Sam" Dance, Musical Mirror, Boettger
Cornet solo, ballad ..... selected
Mr. John Hale
Fatinica Concert Selections ..... Franz Abt
"Hide and Seek" Mazurka, Mr. C. J. Berry
Aunt Dinah's wedding dance ..... Kastner
Reception piece, "A Dream of Home"
Gathering for duty bell call, the roll, the tents, the evening, the patrol, on post, the death, the rose, the grave and the march home ..... G. W. Morris
March, Stokes Rock ..... Mac

CHAS. L. BERRY, Secretary.

Home Missionaries.

The home missionaries of the Salt Lake Stake of Zion will meet in the Fourteenth ward hall, next Wednesday, August 26th, at 7:30 p. m. Brethren unable to be present are requested to send written reports of their labors, etc., for the month past to the meeting. JAMES D. NORLAND, Clerk of stake.

DAILY WEATHER VANE.

Observations Taken at Utah, Idaho, Montana, Oregon and Nevada Stations.

Weather reports morning observations at 6 a. m. today:

Salt Lake City—Barometer, 29.86; temperature, 66; minimum, 60; wind, east, 12 miles per hour; rain, trace; partly cloudy.

Baker City—Barometer, 30.02; temperature, 56; minimum, 50; wind, south, 8 miles an hour; clear.

Cheyenne—Barometer, 30.14; temperature, 66; minimum, 48; wind, north, 8 miles per hour; rain, .30 of an inch; cloudy.

Helena—Barometer, 30.30; temperature, 42; minimum, 42; wind, southwest, 6 miles an hour; clear.

Miles City—Barometer, 30.16; temperature, 46; minimum, 44; wind, southwest, light; clear.

Winnemucca—Barometer, 29.88; temperature, 56; minimum, 50; wind, east, 15 miles per hour; clear.

Idaho Falls—Barometer, 30.18; temperature, 44; minimum, 42; wind, northwest, 8 miles per hour; rain, .18 of an inch; partly cloudy.

General and local forecast for 36 hours ending 8 p. m., Aug. 23rd:

For Utah, fair tonight and Sunday; warmer Sunday.

Salt Lake City and vicinity, fair, weather, warmer.

J. H. SPARKS,
Observer, Weather Bureau.

Today's temperature is shown in the few stable thermometer given below:

MAY SUE THE CLERKS

State Auditor Authorized to Proceed Legally Against County Clerks,

IF THEY DON'T TURN IN FEES.

County Commissioners Not Much Responsible — Clerks and Postmaster Light — Attorneys Top Wins.

Attorney General A. C. Bishop today sent to the State auditor the following opinion, which authorizes that officer to proceed legally against county clerks who fail to turn their fees into the State treasury. The county commissioners are not held responsible for these fees, but the clerks and their bondsmen:

HON. MORGAN RICHARDS JR., State Auditor, Salt Lake City, Utah:

DEAR SIR—I am in receipt of your favor of recent date, in which you say "that a number of the clerks of the district courts in the State have informed you that through a misconstruction of the law bearing on the question, they have paid into their respective county treasuries all moneys received from fees collected in the said district courts and refer you to the boards of county commissioners for said fees." You ask to be advised as to whether it is your duty to make application to these various boards or to sue said clerks for these fees.

I am of opinion that it is your duty under the law to look to the clerks for these fees instead of to the boards of county commissioners. The language of the act of March 1st, 1892, defining and fixing the duties of the clerks of the district courts and the disposition of the fees collected by them, and I would need only that all fees of this kind collected by the said clerks between the 4th day of January and the 4th day of June of 1896 belong to the State and should have been covered into the State treasury. Under the law all of the said fees are now in arrear and owing to the State. The duty imposed upon the respective clerks is purely ministerial in its nature, the performance of which involves no judgment or discretion, and being a duty of this nature, it is my opinion that mandamus would lie to compel the said clerks to pay these fees to the State.

I would therefore suggest and advise that you commence the same against the legally constituted under the Territorial law and be sure the same have been covered into the State treasury. Under the law as it stands at present, the State is entitled to the entire amount of fees