

EVENING NEWS.

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CHARLES W. PENROSE, EDITOR.

Wednesday, May 31, 1882.

A SENSIBLE DECISION.

The telegraph brings some good news in regard to the law of Congress known as the Timber Act. It was approved June 3d, 1875, and authorized the people of the Territories and of the States of Nevada and Colorado to cut and remove timber from the public domain for certain purposes. The wording of the first section after the enacting clause is:

"That all citizens of the United States and other persons, bona fide residents of the State of Colorado or Nevada, or either of the Territories of New Mexico, Arizona, Utah, Wyoming, Dakota, Idaho, or Montana, and other mineral districts of the United States, shall be and are hereby authorized and permitted to fell and remove, for building, agricultural, mining, or other domestic purposes, any timber or other trees growing or being on the public lands, and being subject to the laws of the United States, except for mineral entry, in either of said States, Territories, or districts of which such citizens or persons may be at the time bona fide residents, subject to such rules and regulations as the Secretary of the Interior may prescribe for the protection of the timber and of the undergrowth growing upon such lands, and for other purposes: Provided, That the provisions of this act shall not extend to railroad corporations."

On the same day an Act was approved providing for the sale of timber tracts on surveyed public lands, for two dollars and a half per acre.

The provisions of the law permitting the felling and removing of timber for domestic purposes was a great boon to the people in these newly settled regions, who had been persecuted and annoyed by officious persons and greedy and unprincipled Government officers to almost an unbearable extent, the policy seeming to be one of hindrance instead of encouragement to the pioneers in building up and improving newly opened sections of the country.

Then came a ruling of the Interior Department, that the term "domestic purposes" meant merely the cutting of timber by individuals for their own use. Under this construction a man could not fell timber and sell it to his neighbor, neither could a mill company fell and remove timber to saw up into lumber for sale.

But Secretary Teller, who holds from Colorado and understands the needs of the country, has made a very sensible decision on this subject, reversing the construction of the law put forth by his predecessors. He holds that the use of such timber for mines, mills, or pioneer towns within the States and Territories named, whether by an individual cutting timber, or by millmen to whom it may have been sold, is consumption for domestic purposes within the meaning of the Act. The former view he considers defeated by the very intent of the law, which was framed to benefit not to harass and hamper the people in newly settled parts of the country.

This decision will have the effect of doing good, not only by cheapening building material in this region, but by opening to settlement places which are now only inhabited by roving bands of Indians. Dispatches from Fargo and Grand Forks, Dakota say that,

"There is great excitement there over the decision of Secretary Teller, opening Turtle Mountain District in this region. It includes nine million acres of the first land in Dakota, comparatively well wooded and watered, lying to the north and west of Devil's Lake. It has been closed hitherto by a claim of a wandering band of Chippewa Indians, which is declared invalid by the Secretary of the Interior. Two railroads, the Northern Pacific, St. Paul & Minnesota and Manitoba will build to this region, and thousands of the settlers are ready to rush in as soon as it can be formally opened."

This decision will also decide many suits which have arisen out of the former arbitrary rendering of the law, and prove a boon to millmen, lumbermen and the public of the great west generally. Secretary Teller has scored a good point.

INELIGIBLE.

EX-SENATOR KIRKWOOD cannot serve on the Utah Commission, if it shall ever be appointed, whether the salary be \$5,000 or \$5,000 per annum. He was named for chairman of the Commission on the Tariff, and the question of his eligibility being submitted to the Attorney General of the United States, that legal luminary has decided that he cannot occupy the position, being barred by the constitutional provision which says:

"No Senator or Representative shall, during the time in which he is elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emolument whereof shall have been increased, during such time."

This is rather a stringent application of the law, but we presume it is technically correct. Mr. Kirkwood resigned his office of Senator before the passage of the bill authorizing the Tariff Commission, and previous to the passage of the Edmunds bill, so he was not engaged in the legislation which created either Commission. The object of the clause in the Constitution is clearly to prevent jobbery, in the creation of offices or the increase of salaries, in which the persons taking part in the passage of the laws creating them would have a personal interest.

In this case the gentleman proposed for a place in the Commission had no voice in the passage of the laws creating the office of providing for the emolument thereof. But the term for which he was elected does not expire until next year, and as the Attorney General construes

the Constitution he is, therefore, ineligible to any office created or the salary of which is increased before the 4th day of March, 1883. Who is the next nominee?

HOW THEY LOOKED TO OSCAR.

The Chicago Times will now come in for the anathemas of the little crowd in this city who attribute the vilest of motives to any person or paper who speaks a word in favor of the "Mormons" or against the "Gentiles," no matter how true or pertinent it may be. The Times has caught them on the hip this time and throws them in the following fashion:

"The Gentiles at Salt Lake are making very faces and the mists are smilling quietly over O. Wilde's relative to his audience in the Mormon capital. The gentle Wilde put it thus: 'The most unintellectual audience I had was in Salt Lake. The Mormons are the most unintellectual people I have met in America, because they have the worst physiques I have seen; and people must have good physiques in order even to comprehend art.' The reason why the Gentiles groan and the Saints sneer is this: 'Not more than six or eight of the large audience were Mormons, the languishing Gentiles having turned out en masse to show the apostle of the idiot that they were with him.'"

It is a positive fact that in that pathetic audience the "Mormons" were few and far between.

BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

AMERICAN.

LATEST DISPATCHES.

Broken Bank.

INDIANAPOLIS, 31.—The bank of Wooten Webb & Co. failed for \$72,000, assets \$70,000.

Fire.

WHEELING, 31.—M. Kelly's wholesale grocery and liquor store, burned, loss, \$30,000, insurance \$42,000.

Fast Mail.

CHICAGO, 31.—The Inter-Ocean has an interview with Postmaster General Howe on the fast mail yesterday which closed thus: Incidentally it is pertinent to say here that although the subject was not all suggested by the Postmaster General, that if the Union Pacific and Central Pacific should only increase their speed to twenty-five or twenty-six miles an hour (on other roads not considered a break-neck speed) two whole days could be saved between New York and San Francisco.

Indian Rumors.

A St. Paul special says: Scouts from Milk River, report that Big Bear is preparing to cross the border early in June with 500 lodges to hunt in United States territory. He announced that if let alone he would harm nobody, but if attacked, would fight to the last. This is the same band that encamped at the half-breed settlement on Milk River last winter, and captured Sheriff Healy and party but released them and fled when troops hurried toward them from Fort Assinibou. Straggling Indians have been crossing the line for some time. Major Igles, who is a very able Indian fighter, will probably operate against them.

Wrecked Forest Fire.

An East Tower, Mich., special says: There are heavy forest fires back of here; the air is filled with smoke and cinders. Much difficulty is experienced in saving farm buildings. Unless rain comes soon, great damage must ensue.

Drugged and Robbed.

A half drunken man named Wm. Bell, was robbed yesterday, according to his story, of \$2,100 in cash. He came from San Francisco and claims to have been drugged.

Military Fire.

LANCASTER, Pa., 31.—The military store of Goldsboro and Loderman was damaged by fire and water to the amount of \$30,000; insurance \$25,000.

FOREIGN.

The Khedive in Danger.

LONDON, 31.—The Times, Cairo. The natives are escaping from Cairo to avoid signing the petition for reinstatement of the late Khedive. The withdrawal of the ultimatum and the departure of the Khedive, the recall of the Consul General and the departure of the Khedive. No trace must be lost to employ measures for saving the life of the Khedive.

The International Trouble in Africa.

The Berlin correspondent of the Times had a conversation regarding Egypt with a person of distinction whose relations to the highest officials justify a semi-official interpretation of his statements. According to this authority there is reason to believe that Germany will support troops to restore order in Egypt, that what Germany supports Austria will sanction, and Russia would certainly prefer Italy's action at the mandate of Europe to English occupation.

A Speech of War.

It is stated that France has ordered additional vessels from Toulon and Toulon to Alexandria.

Warmed.

The papers print a story that both Gladstone and Harcourt have been warned that at a recent Irish meeting in London the hope was expressed that Gladstone would be assassinated next, and that this expression received loud applause.

Napoleon's Suspended.

PARIS, 31.—The Napoleon, organ of Prince Jerome, has been suspended for lack of popular support.

Priesthood Meeting.

The regular meeting of the Priesthood of this State will be held in the Assembly Hall, on Saturday, June 3d, at 11 a.m.

W. W. TAYLOR, Clerk of the State.

Opening Entertainment.—On Monday and Tuesday evenings, June 5th and 6th, the Celebrated Careless Orchestra will give two of their delightful vocal and instrumental entertainments at the opening of the new Walker Opera House, Mrs. Corlinski and other local musical celebrities are named among the performers. The orchestra will play some of the finest selections ever heard in this city. Tickets should be secured at once, as the attendance is expected to be exceedingly large, this expectation being warranted by the nature of the occasion and quality of the entertainment.

The Home Missionaries of the State will meet in the Council House at 7:30 o'clock this evening.

LAND SURVEYS.

UNITED STATES SURVEYOR GENERAL'S OFFICE, Salt Lake City, U. T., May 31st, 1882.

The plat of sub-divisional surveys, of Township No. 1, North Range No. 2 East, executed by Ferdinand Dickert, has this day been filed in the U. S. Land Office, of this city.

FRED. SALOMON, U. S. Surveyor General. E. H. HESSE, Chief Clerk.

THE "WORLD."—Walter Page, Esq., special agent for the New York World, is in the city, and has appointed Mr. Joseph Hyrum Parry local agent for the able Democratic Journal which he represents.

The World has made a sensation in newspaperdom by telling truth about the "Mormons." The old "land" of misrepresentation and abuse has almost "petered out," and Utah and the "Mormons," as they are, form a new thing under the sun of eastern journalism. We shall be pleased to learn that the World, the leading Democratic organ of the country, is widely patronized in this city and Territory. We wish Mr. Page a pleasant visit.

The "Guv'nor."—Old theatre-goers who were present at the representation last evening of "The Guv'nor" by the Dramatic Combination were pleasantly surprised. The play is of a different character to most of those essayed by that company, and was played in a style that showed the old favorites capable of presenting the modern comedy drama in a most acceptable manner. "The Guv'nor" is an amusing mixture of comical blunders rendered probable by a combination of circumstances exciting an irascible and jealous old man, married to a young and beautiful wife. We have not space to describe it in full, but hope it will be repeated so that the public may see and enjoy it direct.

Messrs. McKenzie, P. Margeretz and J. C. Graham have parts adapted to their peculiar styles and perform them admirably. Mr. McKenzie's jealous husband, Mr. Graham's stuttering son, and Mr. Margeretz's deaf old boatman, were pieces of character acting far superior to anything ordinary. We have not space to mention all the performers, but suffice it to say that every one is entitled to praise. Miss Colebrook played with her usual care and animation. Miss Lizzie Platt looked and acted the love-struck young lady exceedingly well, and Miss Dunbar—a new appearance—acted like one familiar with the footlights and at home with an audience. The piece is short but it is all gold, and we hope it will be soon repeated. Thomas' enlarged orchestra treated the audience to some excellent music artistically rendered.

Last Sunday evening a Boston divine suddenly passed somewhere near the end of his sermon and said: "We would be glad if that young man in the vestibule would come inside and satisfy himself whether he is or is not here. That would be much better than keeping a half-inch draft on the occupants of the back pew."

JOHN C. CUTLER.

Old Constitution Building, Salt Lake City, receives nearly every day a lot of goods from the Provo Mills. He keeps the largest stock of home-made woolen goods to be found in the Territory, consisting of cheap Tweeds for boys' suitings, a large variety of Cloths, Jeans, Flannels, Linseys, Yarns, Shawls, and almost all kinds of Woolen Goods, which are sold at reasonable prices. Give him a call.

IMPERISHABLE PERFUME.

Murray & Lanman's FLORIDA WATER.

Best for TOILET, BATH and HANDKERCHIEF.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One small HORSE, about 8 years old, stripes in face, both feet white, branded AN on left shoulder, on right shoulder.

One small HORSE, about 8 years old, stripes in face, both feet white, branded AN on left shoulder, on right shoulder.

One bay horse 5 years old, star in forehead, three white feet, and a little white on the other.

Which if not claimed in ten days will be sold at the lowest price at the city pound on Thursday, June 1st, at 10 a.m.

GEORGE E. COTTAM, District Poundkeeper. St. George May 29th, 1882.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One bay MARE, 5 or 6 years old, Tan left shoulder, T in diamond on left thigh, star in face, left hind foot white.

One small mare COLT 1 year old, Star in face, star in face.

One small horse COLT 1 year old, Star in face, star in face.

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GRAND OPENING.

OF THE

Walker Opera House

ON

MONDAY and TUESDAY EVENINGS,

JUNE 5th and 6th.

2 GRAND CONCERTS

Careless Orchestra!

ENTIRE CHANGE OF PROGRAMME EACH NIGHT.

The following talented vocalists will appear, viz:

MRS. GEO. CARELESS,

MRS. J. LEVIBERG,

MR. CORLINSKI.

Also, the Popular Quartette, embracing the following well-known names:

MRS. ASHLEY, MISS SHEARMAN, MISS OLSEN, MISS RICHARDS,

MESSES. WHITNEY, HOPKINS, CORLINSKI and SPENCER.

Concert Solo. — Mr. M. Croxall.

Flute Solo. — C. H. Hedger.

Piano Solo. — Mrs. M. W. Wells.

Etc., Etc.

CONDUCTOR. — MR. GEO. CARELESS.

Don't fail to secure your tickets at once.

Have a rich Musical Treat, and see the beautiful new House, second to none in the United States.

SCHEDULE PRICES:

Orchestra Chairs, \$1.25; Orchestra Circle, \$1.

First Circle, 50c; Gallery, 25c and 20c.

Reserved Seats, 25c extra.

FOR SALE.

A PAIR OF WORK HORSES, WAGON and Harness complete. Apply to John Peterson, at Morris and Evans' corner, Main Street, Salt Lake City.

FOR SALE.

A FEW SECOND-HAND BUGGIES and Spring Wagons. Apply at Salt Lake Carriage and Wagon corner of Commercial and Olive Street.

Apply to J. MALQUIST.

NOTICE.

FROM AND AFTER THE FIRST DAY

of June, 1882, the general management of the United Co-op. Mercantile Institution, in all its branches, will be in the hands of Bishop George Stuart and J. C. RICHMOND.

Therefore, all business communications pertaining to said institution will be addressed to Bishop George Stuart, Superintendent, P. O. Box 1, Salt Lake City, Utah.

By order of the Board of Directors, R. G. EVANS, Sec'y.

Main City, May 30, 1882.

LOST.

On Saturday afternoon, on First West Street, between Third Street and City Creek, a Lady's Gold Ring. The finder will be rewarded on delivery to Wm. Hampton, at Wm. Hampton's furniture store. \$10.00.

WANTED.

A GIRL FOR KITCHEN WORK, ALSO a good Nurse. Apply immediately to Mrs. Louis Cohn, 30th Ward, or inquire at Cohn Bros. Dry Goods Store. \$150.00.

WANTED.

TO BUY A SECOND-HAND ONE HORSE Spring Wagon, and a second-hand one horse Wagon. Apply to J. C. RICHMOND, Two Blocks South Second Ward School-house. \$150.00.

STRAYED OR STOLEN.

FROM GEORGE Q. CANNON'S PASTURE, 1 Sunday evening, May 21, one large bay MARE, white spot in forehead, not very ready. The finder will be rewarded on leaving word at this office. \$100.00.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One white yearling HEIFER, no marks or brands.

First claimed within ten days from date will be sold at the city pound, Oak Creek, Millard County, May 30th, 1882.

GEORGE FINLINSON, District Poundkeeper. Oak Creek, May 30, 1882.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One light red HEIFER, 2 or 3 years old, branded on right shoulder T C, underbit to left eye.

First claimed not later than June 1st, 1882, will be sold at the city pound, Oak Creek, Millard County, May 30th, 1882.

L. A. BALLEW, District Poundkeeper. Nephi, June County, May 29th, 1882.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One small dark bay MARE, about nine years old, white stripes on face, left hind foot white, branded NM (combined) on left thigh.

One small yearling HORSE COLT, no marks or brands.

One bay yearling MARE COLT, white stripes on face, three white feet, no brands visible.

If not claimed on or before Saturday, June 1st, 1882, they will be sold to the law direct, at South Cottonwood Estay Found, at 10 o'clock a.m.

J. R. MILLER, District Poundkeeper. South Cottonwood, May 31st, 1