

THE TREASURER AND AUDITOR

REFUSE TO PERMIT THE OFFICIAL THEFT—AN ANSWER TO THE ROGUS APPOINTEES.

Yesterday afternoon Treasurer James Jack and Auditor N. W. Clayton filed in the Third District Court their answers to the complaints of Bollivar Roberts and Arthur Pratt, on which suits were instituted by the District Attorney to oust the officers elected by the people and install the bogus appointees of the Governor. With the exception of the names, Mr. Clayton's answer is similar to Mr. Jack's, which is as follows:

The People of the Territory of Utah on the Relation of William H. Dickinson, United States District Attorney for Utah, plaintiff, vs. James Jack, defendant:

Now comes the said James Jack, defendant herein, and for his answer to the complaint of plaintiff denies that prior to the year 1880, or any other date, he did usurp or intrude into the office of Territorial Treasurer in or for said Territory of Utah; denies that ever since said date he has or that he still does hold or exercise the office without authority of law.

Defendant has no information or belief sufficient to enable him to answer the allegation of the plaintiff to the effect that on the 25th day of January, 1880, during the session of the Twenty-seventh Legislative Assembly of said Territory, the said Governor, duly or at all nominated Bollivar Roberts to be Territorial Treasurer of said Territory, or that said Governor did then, or there, or at all present the name of Bollivar Roberts to the Legislative Council of said Territory while the same was in session or requested its advice or consent to the appointment of said Roberts to said office, and defendant on that ground denies said allegation.

Defendant denies that said Council arbitrarily or without lawful right or excuse, failed, neglected or refused to take any action whatever upon said nomination so presented. Defendant denies that said Legislative Assembly adjourned on the day named or any other time whatever, leaving the said office without a lawful incumbent.

Defendant has no information relating to the allegation to the effect that said Governor at the twenty-fifth or twenty-sixth sessions of the said Legislative Assembly nominated or presented to said council the name of a person to fill said office of Territorial Treasurer, or that the said Council at each or either of said sessions failed or refused to take action thereon; and on that ground defendant denies the allegation.

Defendant denies that the said alleged refusal of the said Council to take any action at its said sessions on said alleged nominations was with the full or any knowledge or information of said Council, or each or any member thereof, that the said defendant was then unlawfully holding or exercising the functions of said office.

Defendant denies that such or any refusal on the part of such Legislative Council was for the purpose or with the intention or design of unlawfully aiding or abetting the said defendant in usurping, or intruding into, or in unlawfully exercising the duties of said office.

Defendant denies that on the 18th day of March, 1880, or at any other time, or after the final expiration or adjournment of said Legislative Assembly or Council, the said Eli H. Murray, as Governor aforesaid, duly appointed the said Bollivar Roberts to be Territorial Treasurer of said Territory, or that he is now, in pursuance of such appointment, lawfully entitled to the possession of said office, or to discharge the duties thereof.

Further answering the complaint of said plaintiff, and for a separate answer thereto, defendant alleges: That on the 1st day of August, 1880, he was a citizen of the United States over the age of 21 years, and he was then and there and at all times since has been and now is eligible under the laws to hold office in Utah Territory.

That an election by the people of Utah Territory was held on the second Monday in August, 1880; that at said time said defendant was the incumbent in said office, having been elected to said office theretofore. That on said last named date, defendant was again elected by the people of said Territory to be Territorial Treasurer for Utah Territory; and that subsequently, in September, 1880, Eli H. Murray, then Governor of said Territory, duly commissioned said defendant to be such Treasurer. Defendant alleges that he has never resigned from said official position; nor has there been any election since said date for a Territorial Treasurer, nor has anyone been elected to said office, and that defendant, by virtue of said election and said commission, and the law in such case and not otherwise, now exercises the functions of said office.

NEW ZEALAND NOTES.

By a private letter from Elders W. C. Mellor and M. R. Pratt, to a friend in this city, written from Wreys Bush, Southland, New Zealand, February 10, 1880, we glean the following interesting items concerning the condition of affairs in that land and the trials the Elders meet with in laboring among the whites there:

"We returned lately from a trip of some 580 miles, which occupied some fifty days. Our course lay through a very rough, rugged and mountainous country; along the shores of two beautiful lakes, named respectively Wakatipu and Hailes; the course along the former being over what they call the 'Devil's Staircase,' and we think it is very appropriately named. We passed through large sheep runs of from 6,000 to 60,000 acres each; these at one time contained from 30,000 to 300,000 sheep, but the rabbits, which were imported into the country some years ago have increased to such an extent that many large sheep raisers and freeholders have bankrupted and left the country; and we saw thousands and thousands of rabbits running over the country. Rabbits make a good living, as the N. Z. Government compels the owners of the land to keep the rabbits down. One lady near Cromwell informed us that her three sons poisoned in six weeks 18,000 and that millions were killed every year, and still they seem to be as festive as ever. The farmers as well as the sheep raisers are very much discouraged on account of the drouth this year, which is something unusual for New Zealand. But unusual things happen in these last days. The crops in many parts of the island are entire failures, the sheep being turned in upon them, and in most cases they are looking very poor and thin. Nothing like our lovely mountain home.

"The people seem to be very willing to accept anything in the shape of salvation but 'Mormonism.' The Scripture is being fulfilled which says, 'I will send strong delusions in the last days that they should believe in a lie and be damned.' We traveled and preached the Gospel from city to city and town to town, and bore our testimony to thousands, but as yet it seems to be all in vain, so far as bringing the people to the Lord is concerned, and we are led to exclaim, when we see the way some of them act, 'Why do the wicked rage and the people imagine vain and foolish things in their hearts?' The Apostle Paul said 'he was not sent to baptize, but to preach the Gospel, and others were sent to water those whom he had planted, as 'Paul may sow, Apollos water, but God alone gives the increase,' but sometimes they will not even give us a chance to sow. We have met some few friends. While traveling straw stacks were quite a luxury, gorse fences not quite so good, and lying in the wet grass, still worse; but we don't desire to complain. What do we suffer persecution, hunger, thirst and fatigue for? Why do we toil on day after day and year after year? For the Gospel's sake. Why do we leave our wives and children, fathers and mothers, our near and dear relatives, and our lovely mountain home? Why, for the benefit of our fellow-man; and this is the treatment we receive for it; but as they did unto our Master, so they do unto us. 'He that will not forsake all and follow me is not worthy of me.'"

Your brother in the Gospel of peace, W. C. MELLOR.

Brothers Pratt and Mills send best respects. W. C. M.

"P. S.—A family of Saints will start by the next steamer for Utah, which will leave Auckland on the 2nd of next month. Sister Naylor and family will probably follow her husband soon, who left home on the 10th of July last and worked his way to San Francisco and walked from there to Utah; he is now working in Cache Valley, near Logan. Others of the Saints desire greatly to gather, but have not the means to take them."

The Thirty-ninth Star in the Union.

The Baltimore Times says editorially: The admission of Dakota into the Union is a subject of much interest. In the debate upon the question in the United States Senate on December 18 last, and which is officially printed in the Congressional Record, Senator Vest, of Missouri, paid a high tribute to the merits of an article of world-wide repute which is manufactured by a Baltimore house. Coming from such a source, this praise is gratifying, although legislators of other countries have also publicly spoken in a similar manner,—among them, Hon. W. A. E. West-Erskine, of the South Australian, and Hon. Godfrey Sichel, of the South African Parliaments. Both of these gentlemen, like Senator Vest, said that the article referred to, St. Jacobs Oil, is an absolute cure for rheumatism and takes away all pain. It may be added that by a recent order of the Receiver General of Inland Revenue of Great Britain, St. Jacobs Oil will in future be admitted free of duty to Ireland and several other British Isles. No house better deserves such success than The Charles A. Vogeler Company, and certainly none has met with more.

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