DESERET EVENING NEWS.

Tuesday, - January 27, 1891.

Copy for advertisements must be delivered to the Business Office not later than twelve o'clock to insure its appearance in the issue of the following morning.

Notice of discontinuance of advertisements must be in writing.

Notice of advertisements to be inserted gratuitously must be so marked.

Rates of Advertising furnished upon application.

Communications for publication should be addressed to the EDITOR.

Letters on business should be addressed to the DESERET EVENING NEWS.

FRAGMENTS.

Last evening the Ladies' Musical Society gave another successful concert entertainment.

Apostle Moseley next, we understand will be assigned to the short-hand class at the University of Deseret.

Commissioner Greenman was engaged in hearing a civil suit of minor importance today.

The sale of the stock of Barton & Co., damaged by fire and water, will begin tomorrow at 30 W. First South Street.

In the police court this morning Jacob H. Appley was fined $10 for disturbing the peace. John Christensen pleaded guilty to drunkenness and was assessed the same sum of $10.

The City Council will convene at the regular hour of meeting this evening. Mayor Scott, Marshal Dyer, Chief and other officers will submit reports of their departments for the year 1890. The Mayor's report is a lengthy and voluminous document.

Orders for Methodist Magazine and Herald's New Monthly for February, may be given at the sale and store of the assets of D. M. McAllister & Co., Main street, who have copies of both these popular monthlies now in stock.

On the Salt Lake Road, near the Fort House, last evening, a team attached to a heavy farm wagon was frightened off the turnpike by a flock of sheep. The vehicle was overturned and its contents scattered in all directions. The driver escaped injury by jumping.

The receipt articles of incorporation of the Mabel Consolidated Mining Company have been filed, and at the first regular meeting of the board of directors, which will be held this evening, an assessment of 5 cents per share will probably be levied.

There was a meeting of the Loan Commissioners yesterday afternoon, when, among other business, bids for the purchase of Territorial bonds were considered. Only one offer was accepted—that of the Utah National Bank, which gave ten bonds of $500 each. The purchase price was par, with two months accrued interest. The commission will meet again on Monday.

In the Third District Court yesterday afternoon, the firm of Wallis & Gibbs, as unpaidered creditors, filed a claim against S. Kellner for $1,[illegible] Judge Zane ruled against Kellner and in favor of the plaintiffs, who gave bond in the sum of $500 and filed affidavits that Kellner was about to dispose of his property to defraud his creditors. Plaintiffs claim to be under the care of H. B. Clawson & Co., who begin suits on behalf of all the creditors, and ask to be permitted to share ratably with the plaintiffs.

There will be a meeting of the Welsh residents of Salt Lake tomorrow (Wednesday) evening, at West Side Music Hall, on the corner of First West and First South, for the purpose of perfecting arrangements to celebrate the anniversary of their native country, St. David's day. Addresses will be delivered by prominent Welshmen of the city. A special invitation is extended to all Welshmen, their families and friends.

The Santa Fe Railroad officials, as per announcement, arrived in the city last evening in their special car, and are stopping at the Templeton Hotel. A conference was held after dinner, in which a number of leading business men of the city and local railway officials took part. The railroad situation was discussed in some length, and the "iron dukes of midnight and half twelve" before the convention called. This afternoon the visitors were to proceed on their journey to California.

Home Missionaries.

The regular monthly meeting of the Home Missionaries of the Salt Lake Stake of Zion will convene in the Social Hall on Wednesday, January 28th, at 7:30 p. m. A full attendance is desired.

In case any of the missionaries cannot attend the meeting, they are required to report their labors in writing or otherwise. J. D. STERLING,

Clerk of Stake.

Snow in the North.

Bishop Henry Hughes, who came down from Mendon, Cache County, this morning, states that when he left that town there was only about an inch of snow on the ground, but the "beautiful" was slightly falling. At Logan there was a depth of about six inches on the level. Comparatively little had fallen previously during the winter. Bishop Hughes is in excellent health. He is always a welcome visitor.

The Question of Transportation.

Secretary F. S. Gillespie, of the Chamber of Commerce, has received the following communication from the Secretary of the Spokane Falls (Washington) Chamber: "I write you some days since concerning the case which you expect to bring before the railroad people in regard to the adjustment of freight rates. I may say now that we have already sent a representative to New York to confer with the railroad people there in regard to the situation here. I would be very glad to hear the result of the efforts made by you, and shall continue to do so in the result of the effort now being made by us."

The general agents of the Transcontinental lines are to meet in Chicago on the 29th, to consider the question at Salt Lake City rates. The Salt Lake Chamber of Commerce will be represented on the occasion.

The "Contributor."

This popular local magazine for February will be put out with great labor and care. It contains a charming variety of subjects. These include "Reminiscences of William C. Staines" (of whom an excellent portrait is given as a frontispiece) "The Treasure of Jesus" (a poem, by Mrs. Jennie Wilcox Wilson) "Sunset Land" (a poem by Ken Dwight) "The Gathering" (a poem by E. H. Vantrump) "Life and Labors of Orson Pratt," (a biography by T. W. Ellis) "Home" (a poem by Lydia Alma Hodgkinson) "Jesus" (a poem by Lizzie Dwyer) "Lessons from Life" (a poem by R. H. Anderson) "Parodies" (a poem by Nell Pratt Rooney) "Sacrifice" (a poem by E. A. Ashby) "Sunset Sketches" by E. C. Johnson "A Day in Kansas" by W. B. Preston, "Up Hill" by Arthur Sims, "Ruth" by Ruth Ann Hodgkinson, "Ashes of Roses" by J. H. Moll [illegible] "Sleep Sweetly" (a poem for mothers) by Jay Nunn. Published by the Contributor Co., Salt Lake City.

UNIVERSITY LANDS.

An Important Case Comes Up in the Land Office.

A LETTER FROM WASHINGTON.

The Claimant Is William J. Byron, of Cache County.

A claim having been entered in the United States Land Office by William J. Byron, of Cache County, in regard to the northeast quarter of section 2, township 14 north, range 1 west, under Desert Selection 2264, Feb. 27, 1879, the case is now engaging the attention of the Land Office officials here.

The subjoined letter partially explains Mr. Byron's conflict with the University selection of lands for University purposes:

Department of the Interior,
General Land Office,
Washington, D. C., Oct. 28, 1890.

Register and Receiver, Salt Lake City, Utah:

Sirs—I am in receipt of your letter of the 24th ult. calling attention to the fact that the northeast quarter of section 2, township 14 north, range 1 west, is embraced in the selection of of north half of section 16 made for university purposes under act of March 3, 1887, and asking the attention of the Land Office officials to the fact that your records show that the entry of Wilson J. Byron for the northeast quarter since 1879 and the Territory under its university selection since 1887, and that the latter was in force when the entry was allowed, and asking for further instructions in view of these circumstances.

You note that the certificate of George M. Maxwell to the original list mentioned in his letter of June 2, 1887, and that Hyrum Maxwell's term of office expired in 1872.

For your information and guidance, I will briefly review the history of the selection made for the University under the third and fourth sections of the act of February 21, 1887 (24 U. S. Statutes, 476) and refer to certain points to be considered in connection therewith. The selection of two townships under the third section of said act was directed to be made within six months after the approval of said act, but provided that they should have been surveyed previously to tendering them into actual contest and adjustment of a section of land set apart for the University. It was also provided in said act that the University should have been surveyed previously to tendering them into actual contest and adjustment of a section of land set apart for the University.

In the 1st section of this act Congress gave to legislatures of Territories and states then not organized the right to dispose of a certain quantity of land for the fourth section "that power and authority" were given to the University of the Legislature to issue all necessary rules and regulations for carrying into effect the provisions of the act of March 3, 1887.

In 1887 the attorney of this office having been called to the third section of the act, and the matter being communicated to your office under date of June 3, 1887, concerning the manner of making the selections, and the following announcement of selections presented to the Secretary of the Interior for his proper decision and authority, in the same instructions it was particularized that "the selections must be from unappropriated, unreserved, and unappropriated public lands."

On April 27, 1887, there had 2 years forward to this office, and on October 4, 1888, the 3, 4, 5, 6, 8, 9 and 10 were transmitted by the Register, who remarked that these lists, to wit, 3 to 10, which had been filed on the day of transmittal, had been sent to the Land Office for some time, and that through oversight or negligence the proper officers had failed to send them in. Many of the selections in the aforesaid lists being in conflict, and the Register having in his letter of transmittal, the lists were returned to your office under letter of June 4, 1888, giving instructions looking to the adjudication of a case in the interest. A number of the lists were sent to the 2 years in conflict, and those known to be in the conflicts were excepted from the mandatory list, which embraced all the aforesaid lists, was filed on July 25, 1888, and was certified as ready for the Commissioners appointed to select University lands and by the Register of your office on the same date, to June 26, 1889, at the request of said Commissioners submitted said to the head of the Department, with the request that the Secretary of the Interior decline the selections made in 1879, indicates of the 11 lists, which were in conflict, and the application of the lands, wishing it to be his opinion that they operate as a sufficient exception of the lands embraced in them for the purposes of the act under which they are to be hereafter disposed of according to the laws of the United States, or of the Territory or future State, as Congress may by law." In the mandatory list the lands in question were not included, and the date of the original list was, June 2, 1887, and the date of the final list, June 25, 1888, as April 25, 1887. Conflicts exist in the lands in question, and when Byron alleged settlement, at which time, it appears, it was in the new field, I will not decide this question as the matter of the settlement of Byron, as from after, and therefore is a presumption earlier, are not found to be under a homestead. I have considered, as you, as set forth the facts for your consideration, the information contained in your letter, and call your attention to the following three points which are suggested in the communication:

1. The selections were directed by this department under the law to be made in the form of unappropriated, and yet in your first proceeding, were not so, which proceeding, notwithstanding the department, has been followed with directions never such conformation, as there is no lists in Case uniform. 2d. How the Commissioners of your office when they filed the assessment of 2 years when they filed the assessment of 2 years.

The selections derived right and authority for the land of this department were those of 1879, those subjected to the assessment or mandatory list, and lists 11.

This declaration by the acting secretary could not reasonably be held to be contrary to the law and instructions under which the selections were made, and the Secretary of the Interior, in your letter of 1888 authorized your Commissioner to the Commissioner of your office, to make a proper decision in the case, and to make a proper decision in the case, and to make a proper decision in the case, and