

8; disputes as to valuation to be determined by three disinterested appraisers, appointed by and on application to the Territorial District Court or Judge; the valuation to be on the same basis as if the railroad were not thought of; payment of such appraisement to the clerk of the court to constitute sufficient claim for full title to the land and premises; either party could appeal from such appraisement and demand a jury of twelve men to estimate; the appealing party to give bonds for the costs, and to pay the whole costs if the appeal were ineffectual; the court to appoint a person, under bonds, to act for absent or disabled owners; six years failure of appearance of claimant to bar all claim.

SEC. 10 provided for equitable right of way for more than one railroad through a canyon; and for the awarding of damages for injury to any wagon road in a canyon by the construction of such a railroad.

SEC. 11 provided for operations to be commenced on such railroad within a year from the filing of its certificate, ten miles to be graded each year, and the whole line completed within ten years from filing of certificate; failure in this to work forfeiture of charter and rights and privileges to uncompleted portion of the road.

SEC. 12 provided for minor changes of location or grade of the road, with consent of the Secretary of the Interior.

SEC. 13 authorized a railroad corporation to borrow money not to exceed its authorized capital stock, issue bonds in sums of not less than \$100, and mortgage the road, etc., to secure payment.

SEC. 14 authorized the acquirement, by purchase or gift, of any lands for right of way, or to aid in construction.

SEC. 15 regulated the diversion of roads or streams, building of bridges, etc., in constructing a railroad.

SEC. 16 provided for the establishment of a principal office for such corporation on its line of road, with public notice of the same.

SEC. 17 provided that such corporation send a full report, under oath, every January to the Secretary of the Interior.

SEC. 18 provided that any railroad corporation organized under the act of the Legislature of any Territory should, on filing with the Secretary of the Interior its original articles of incorporation, or copy thereof, and its acceptance of this act, be entitled to the benefits therein granted.

SEC. 19 provided that any corporation under this act could construct, maintain, and operate a telegraph on the line of its road. The grants of land for depots, side tracks, etc., not to apply to U. S. mineral or reserved lands, nor to lands homesteaded or pre-empted at the date of the filing of the certificate of incorporation.

SEC. 20 exonerated the U. S. from responsibility for obligations of such corporations, and provided that no Territory, or county, or municipal corporation therein, should subscribe to stock of such railroad corporation, or loan its credit thereto. Congress, with due regard to the rights of such corporation might add to, alter, amend, or repeal this act.

SEC. 21 provided for similar right of way, etc., through unoccupied public lands of the U. S. for a railroad corporation incorporated under the laws of any State, that had not received aid in lands or bonds from the United States.

THE GREAT DECLINER STILL DECLINING.

THE genial and virtuous Colfax, it appears, though he had an extensive experience in "declining" during the last presidential campaign, has not yet outgrown the habit. An Indiana paper contains a letter from "the great American smiler," in which he declines the nomination to Congress tendered to him in his district. He says that the truest happiness in life is in being out of office and master of one's own time and movements, and that no possible inducements that he can imagine could tempt him to desire a return to Congressional life, with what a so well known to be "its cares and toils, its injustice and falsifications, its envyings and all uncharitableness."

The Omaha *Herald* of a later

date, April 16, says the gentleman has accepted, has decided to run for Congress in the South Bend district. But surely our Omaha contemporary must have misunderstood the matter, for how could acceptance follow after such a pathetic declination, such a picturing of the uncharitableness of congressional life and the Arcadian felicities of non-official life. The smiler would probably be more happy in addressing temperance meetings, Sunday schools, and Young Men's Christian associations than in running another Credit Mobilier gauntlet in the halls of Congress.

NOT FAVORED.—The Pueblo, Colorado, *People*, speaking of the probability of Congress passing an enabling act for the admission of New Mexico as a State, says the measure does not meet with favor from the press of New Mexico, and it is probable that the movement will be defeated when put to a vote of the people of that Territory.

Possibly the New Mexicans would rather wear the badge of territorial servitude and continue to receive the few thousands of dollars furnished by Congress for the payment of legislative, judicial, and executive officials, than assume the dignity of statehood and pay their own way. But rather than that statehood should go a begging, we are sure that Utah would patriotically step forward and accept the offer if it were placed within her reach. By the by, now that economy is considered a virtue in Congress, we may remind that honorable body that it might save a few thousands by letting Utah pay her own legislature and other rulers, which she could do properly by becoming a State.

MISRULE OF FANATICS AND ADVENTURERS.—The Chicago *Times* talks in this way of certain characters who try by misrule to ruin Utah—

"Despite all the quarreling over Utah, despite the misrule of federal and other fanatics and adventurers who have held high carnival in this Territory, it seems to be on the highway of prosperity. Were it but left alone; were demagogues denied authority; and were all its difficulties committed for solution to the effects of time, Utah would speedily become a marvel of wealth, population, and progress. In fact it is that already; but there is reason to believe, if left to itself, it would outstrip even its present wonderful advance. One cannot but believe that it is to time, and the erosive nature of public opinion, that should be left this matter of polygamy."

LOCAL AND OTHER MATTERS.

FROM TUESDAY'S DAILY, APRIL 21.

Dead.—W. L. Pugh, the man who had his toes amputated in the city jail some time since, and who was removed to the insane asylum lately, died at the latter place last night.

That Party.—That party of Australian gentlemen and ladies had an interview with President Brigham Young, shortly after the latter's arrival in the City, yesterday.

Beautifying.—The people of American Fork are grading and leveling the ground around their meeting house, setting out rows of shade trees, and otherwise improving, beautifying and fixing up.

More Additions.—Mr. James Townsend is building another addition to his hotel, and altering and improving the north wing. In this new and altered portion he purposes establishing a bar and billiard room.

Cleaner.—Mr. W. H. Miles has invented a brush for cleaning lamp chimneys. The bristles protrude from the sides of a flat piece of wood, the outlines being similar in form to the interior of the chimney. It is well adapted for the use for which it is intended.

Clear Them Away.—Parties living in the 20th Ward complain that some persons in that part of the City have failed to clear away the fallen branches after trimming their trees, and by this means the ditches

are choked up and water flows over upon the streets.

Property owners should clear away those obstacles from the front of their lots. The law requires them to do it.

A Spat.—We understand that his honor, Judge McKean, flew into one of his peculiar tantrums to-day. An attorney asked leave to renew a motion which had been previously argued and overruled. The request was granted, but the privilege was accompanied by an admonitory lecture, to which the attorney took some exceptions, and intimated his disapproval. At this the Judge got vexed and peremptorily withdrew the leave he had just granted to renew the motion in question, which, to say the least, showed as much petulance as was necessary under the circumstances.

Missionary Work.—A private letter from Elder John Squires, dated at St. Albans, Hertfordshire, England, gives a cheerful account of some of his missionary labors. He baptized 2 persons into the Church at the place named a short time ago, and seven others were about ready to identify themselves with the Church.

He became a member of an improvement association at St. Albans lately, and had the privilege of addressing the assembly at one of its meetings. His discourse created quite a sensation, being so unexpected, but was beneficial in its effect.

The Dog Question.—George Showell has got tired of the business of looking after unregistered curs and has given it up, and the Marshal has a man out dealing destruction among the uncollared canines. When George would get a lot of dogs penned up, the owners would call and get them, and never go to the City Hall and have the brutes registered. The dogs are getting thinned down considerably under the execution of the ordinance. Parties losing their dogs need apply to Mr. Showell no more. The Marshal's dog destroyer accomplishes his work by means of poison, thus rendering the carcasses unfit for the sausage-machine. Wonder if the price of bologna will go up now.

Montana Beef.—The Helena, Montana, *Herald*, of April 10, commenting upon the past long and hard winter in Utah, but more especially in Nevada and California, and the loss of cattle thereby, concludes that Montana stockgrowers are now mainly depended upon for beef in Utah and the two States named, and says—

"Our cattle, as a rule, have wintered excellently. Bullocks by the thousand, in nearly every portion of the Territory, and plump and fat, and conditioned for the road leading to the markets south and west. Numbers of stock men, we learn, are preparing to drive portions of their herds to the railroad as soon as the melting snows will admit their passage across the Main Range into Idaho and thence southward to Utah."

Agile Turners' Club.—Seeing that there are so many literary and other societies being organized in this City, for the purpose of improving the mind, and believing the development of physical organism is also a desirable object, a number of Prof. Leotard's late pupils met last evening and organized under the title of the "Agile Turners' Club," adopted a constitution and by-laws, and elected a president, vice-president, secretary and treasurer.

A committee was appointed to secure a club room, and a part of the necessary apparatus has already been procured.

The first performance in public will be given by six members of the club, who have volunteered their services, on the occasion of Miss Adams' benefit, next Friday evening.

District Court To-day.—L. U. Colbath *et al.* vs. T. O'Brien *et al.* judgment for plaintiff.

Dickinson, Hurlburt & Co. vs. F. M. Reinhart; plaintiffs have leave to withdraw from the files the verified statement of account annexed to complaint.

L. Golberg & Co. vs. Isaac Wolfe; motion for leave to file verified amended answer overruled; defendant excepts.

M. B. Callahan vs. Davenport M. Co.; dismissed on plaintiff's motion.

Gordon & Murray vs. Davenport M. Co.; demurrer withdrawn; de-

fendants have leave to answer, as stipulated.

Eli B. Kelsey vs. Shoebridge; on motion of plaintiff's attorney, defendant's consenting, plaintiff allowed to withdraw from the files bond from defendant to plaintiff, to have the same recorded.

Teasdel & Co. vs. John Paul; judgment for plaintiff, for want of an answer.

Morris W. Mundy *et al.* vs. J. R. Walker *et al.*; demurrer overruled; motion to strike out parts of complaint granted; twenty days to answer.

John Johnson *et al.* vs. Alexander Carlyle, Judgment of Probate Court overruled; ordered that Probate Court dismiss this action.

W. D. Foster, vs. F. Reich; motion for a new trial, decision deferred till to-morrow.

Old Man Bender.—The man, strongly believed to be the old man Bender, is still "an object of interest" to many people, judging from the number who make application to the jailer to get an opportunity of seeing him.

It has been laid to the charge of the Kansas authorities that they have manifested a culpable apathy regarding the capture of the Bender fiends. Whether those charges have any real foundation or not we do not pretend to state. It will shortly be seen, however, whether they are correct or false. Since the chief of police of this city sent to Gov. Osborn, of Kansas, for a requisition for the supposed old man Bender, a gentleman steps forward who states that he visited Bender's house on several different occasions a year ago and had opportunities of seeing the old man and says he believes the one in the jail is not he. In consideration that there is still a doubt as to the identity of the old man the Chief of Police very naturally does not feel justified in incurring large additional expenses in conveying the prisoner back to Kansas and running the risk of having to foot the whole bill without any hope of being compensated, especially as quite a large amount of expense has been already incurred thus far. Governor Osborn's requisition for and accompanying affidavits against the Bender family have arrived, but, in consideration of the circumstances above referred to, Captain Burt deems it best to write back to the Governor that he will hold the old man until an officer be sent out here from Kansas to take him back, should the Kansas authorities conclude that the matter is of sufficient importance. If they do not show an active interest in the matter, it would be a disgrace to that State.

Even under the circumstances of partial identification of the old man, the officers of this City would have taken him back to Kansas had they been able to secure passes over the U. P. railroad, which, however, were not granted them, and to go without would be running a risk of being rather too much out of pocket, should matters happen not to turn out as anticipated. It is to be hoped that the affair will be cleared up soon, that the ends of justice may not be thwarted.

Bender Positively Identified!

The following dispatches, received this afternoon, show that the portraits of the old man Bender sent from here have resulted in his being positively identified as the old murderer—

FORT SCOTT, Kansas,

April 21st.

Andrew Burt, Chief of Police, Salt Lake.

That is old man Bender.

JAMES NEWBERRY.

TOPEKA, Kansas,

April 21st.

Chief of Police, Salt Lake.

Direct agent to bring Bender here.

THOMAS A. OSEORN,

Governor.

It is probable that the old man will be at once taken to Topeka, by an officer from here.

DEED.

In the 18th Ward, Salt Lake City, April 2nd, of lung disease, FLORENCE MAY, daughter of Bishop F. and Jane Elizabeth Kesler, aged 4 weeks and 6 days.

WANTED to know the whereabouts of the children of Thomas Guston, of Fountain County, Indiana, by their cousins. Address letters to Box 708, or call at the St. Charles Hotel, Salt Lake City, half block west of Valley House. w123

NOTICE.

TO Edward McGarry and N. B. Eldred, their personal or legal representatives, and all others whom it may concern: You are hereby notified that I have performed the labor, and made the improvements on the Jordan Silver Mining Company mine, or Jordan lode, in West Mountain Mining District, Salt Lake County, Territory of Utah, required by law, being co-owner thereof with you, and you have failed to contribute your proportion, and there is now due on account thereof from each of you, said Edward McGarry and N. B. Eldred, \$180, for labor improvements on said claim prior to 1873; therefore you are further notified that if at the expiration of one hundred and eighty days from the date of this notice you fail or refuse to contribute your said proportion, your several interests in said claim will become my property, pursuant to Sec. 5 of the Act of Congress, approved May 10, 1872, entitled "An act to promote the development of the mining resources of the United States."

JOHN W. KERR.
Dated at Salt Lake City, April 9th, 1874.
d117 It will 90 days.

DR. WM. HALL'S BALSAM FOR THE LUNGS, The Great American Consumptive Remedy.

CONSUMPTION is NOT an incurable disease. Physicians assure us of this fact. It is only necessary to have the RIGHT REMEDY, and the terrible malady can be conquered.

Hall's Balsam is this Remedy.

It breaks up the NIGHT SWEATS, relieves the OPPRESSIVE TIGHTNESS ACROSS THE LUNGS, and heals the lacerated and excoriated surfaces which the venom of the disease produces.

While Life Lasts there is Hope.

It may not be too late to effect a cure even after the doctors have given you up.

Hall's Balsam is sold everywhere, and may be had at wholesale of the Proprietors, JOHN F. HENRY, CURRAN & CO., at their Great Medical Warehouse, 8 and 9 College Place, New York. Price \$1 per bottle.

Hall's Balsam is also a sure remedy for COUGHS, COLDS, PNEUMONIA, BRONCHITIS, ASTHMA, SPITTING OF BLOOD, CROUP, WHOOPING COUGH, And all other diseases of the respiratory organs.

Also Proprietors of Scovill's Blood and Liver Syrup, Carbolic Salve, Edey's Troches, Oxygenated Bitters, Mott's Liver Pills, etc.

JOHN F. HENRY, CURRAN & CO.,
8 and 9 College Place,
d3 dm eom NEW YORK

NOTICE.

U. S. Internal Revenue SPECIAL TAXES,

MAY 1, 1874, TO APRIL 30, 1875.

THE LAW of December 21, 1872, requires every person engaged in any business, avocation, or employment which renders him liable to a SPECIAL TAX, to procure and place conspicuously in his establishment or place of business a STAMP denoting the payment of said SPECIAL TAX for the Special Tax year beginning May 1, 1874, before commencing or continuing business after April 30, 1874.

The taxes embraced within the provisions of the law above quoted are the following, viz:

Rectifiers,.....	\$200.00
Dealers, retail liquor,.....	25.00
Dealers, wholesale liquor,.....	100.00
Dealers in malt liquors, wholesale,...	50.00
Dealers in malt liquors, retail,.....	25.00
Dealers in leaf tobacco,.....	25.00
Retail dealers in leaf tobacco,.....	100.00
And on sales of over \$1,000, fifty cents for every dollar in excess of \$1,000.	
Dealers in manufactured tobacco,...	5.00
Manufacturers of stills,.....	50.00
And for each still manufactured,...	20.00
And for each worm manufactured,...	10.00
Manufacturers of cigars,.....	10.00
Peddles of tobacco first class more than two horses,.....	50.00
Peddles of tobacco, second class (two horses),.....	25.00
Peddles of tobacco, third class (one horse),.....	15.00
Peddles of tobacco, fourth class (on foot or public conveyance),.....	10.00
Brewers of less than 500 barrels,.....	50.00
Brewers of 500 barrels or more,.....	100.00

Any person, so liable, who shall fail to comply with the foregoing requirements will be subject to severe penalties.

Persons or firms liable to pay any of the Special Taxes named above must apply to O. J. HOLLISTER, Collector of Internal Revenue, at Salt Lake City, or to J. W. Christian, Deputy, at Beaver, and pay for and procure the Special Tax Stamps or stamps they need, prior to May 1, 1874, and WITHOUT FURTHER NOTICE.

J. W. DOUGLASS,
Commissioner of Internal Revenue.
Office of Internal Revenue,
Washington, D. C.,
February 16, 1874. w9 it