

of appeals held at any place other than where he resides shall, upon his written certificate, be paid by the marshal of the district in which the court shall be held his reasonable expenses for travel and attendance, not to exceed ten dollars per day, and such payments shall be allowed the marshal in the settlement of his accounts with the United States.

SEC. 9. That the marshals of the several districts in which said circuit court of appeals may be held shall, under the direction of the Attorney-General of the United States, and with his approval, provide such rooms in the public buildings of the United States as may be necessary, and pay all incidental expenses of said court, including criers, bailiffs, and messengers: *Provided, however,* That in case proper rooms can not be provided in such buildings, then the said marshals, with the approval of the Attorney-General of the United States, may, from time to time, lease such rooms as may be necessary for such courts. That the marshals, criers, clerks, bailiffs, and messengers shall be allowed the same compensation for their respective services as are allowed for similar services in the existing circuit courts.

SEC. 10. That whenever on appeal or writ of error or otherwise a case coming directly from the district court or existing circuit court shall be reviewed and determined in the Supreme Court the cause shall be remanded to the proper district or circuit court for further proceedings to be taken in pursuance of such determination. And whenever on appeal or writ of error or otherwise a case coming from a circuit court of appeals shall be reviewed and determined in the Supreme Court the cause shall be remanded by the Supreme Court to the proper district or circuit court for further proceedings in pursuance of such determination. Whenever on appeal or writ of error or otherwise a case coming from a district or circuit court shall be reviewed and determined in the circuit court of appeals in a case in which the decision in the circuit court of appeals is final; such cause shall be remanded to the said district or circuit court for further proceedings to be there taken in pursuance of such determination.

SEC. 11. That no appeal or writ of error by which any order, judgment, or decree may be reviewed in the circuit courts of appeals under the provisions of this act shall be taken or sued out except within six months after the entry of the order, judgment, or decree sought to be reviewed; *Provided, however,* That in all cases in which a lesser time is now by law limited for appeals or writs of error, such limits of time shall apply to appeals or writs of error in such cases taken to or sued out from the circuit courts of appeals. And all provisions of law now in force regulating the methods and systems of review, through appeals or writs of error, shall regulate the methods and systems of appeals and writs of error provided for in this act in respect of the circuit courts of appeals, including all provisions for bonds or other securities to be required and taken on such appeals and writs of error, and any judge of the circuit courts of appeals, in respect of cases brought or

to be brought to that court, shall have the same powers and duties as to the allowance of appeals or writs of error, and the conditions of such allowance, as now by law belong to the justices or judges in respect of the existing courts of the United States respectively.

SEC. 12. That the circuit court of appeals shall have the powers specified in section seven hundred and sixteen of the Revised Statutes of the United States.

SEC. 13. Appeals and writs of error may be taken and prosecuted from the decision of the United States court in the Indian Territory to the Supreme Court of the United States, or to the circuit court of appeals in the eighth circuit, in the same manner and under the same regulations as from the circuit or district courts of the United States, under this act.

SEC. 14. That section six hundred and ninety-one of the Revised Statutes of the United States and section three of an act entitled "An act to facilitate the disposition of cases in the Supreme Court, and for other purposes," approved February sixteenth, eighteen hundred and seventy-five, be and the same are hereby repealed. And all acts and parts of act relating to appeals or writs of error inconsistent with the provisions for review by appeals or writs of error in the preceding sections five and six of this act are hereby repealed.

SEC. 15. That the circuit court of appeal in cases in which the judgments of the circuit courts of appeal are made final by this act shall have the same appellate jurisdiction, by writ of error or appeal, to review the judgments, orders and decrees of the supreme courts of the several Territories as by this act they may have to review the judgments, orders, and decrees of the district court and circuit courts; and for that purpose the several Territories shall, by orders of the Supreme Court, to be made from time to time, be assigned to particular circuits.

Approved March 3, 1891.

THE BANNOCK STAKE OF ZION.

BY ANDREW JENSEN.

More than thirty-five years ago, or about twenty-four years before the first Latter-day Saint settlement was made in the Snake River Valley, Fort Limhi, on the east fork of Salmon River, was founded as a missionary station among the Bannock Indians. This was done under the direction of President Brigham Young, who, also, about the same time, established frontier settlements on Green River east and in Carson Valley west, with a view to extending the borders of Zion, the intervening valleys and suitable points to be filled subsequently with settlements of the Saints.

It was at the annual conference of the Church, held in Salt Lake City, April 7, 1855, that a number of brethren were called to go and locate a settlement among the buffalo-hunting Bannock and Shoshone Indians in the far off north, in what was then Oregon Territory, and Elder Thos. S. Smith, of Farmington, Davis Co., Utah, a man of considerable experience, was appointed to take charge of the colony. Most of the brethren who were called

on this mission, made preparations at once to fill it, and on the 15th of May, 1855, Prest. Smith, together with other brethren, left their homes in Farmington, and other places, and on the 19th they arrived on Bear River, north of Brigham City. On the following day (the 20th), the camp consisting of the following named brethren were organized for traveling: Thos. S. Smith, (President of the mission); Francillo Durfee, (Captain); Wm. Burgess, Jun., (Lieutenant); R. F. Cummings, (sergeant); D. Moore, (historian of the camp); Ezra J. Barnard, Thos. Butterfield, Wm. L. Brundage, Nathaniel Leavitt, Pleasant Green Taylor, Israel S. Clark, Charles Dalton, Geo. R. Grant, Isaac Shepherd, D. Moore, Geo. W. Hill, Gilbert Belnap, Wm. Birch, John Galligher, J. W. Browning, David H. Stephens, Baldwin H. Watts, Joseph Parry, Ira Ames, Jun., Abraham Zundel, Charles McGary, Wm. H. Batchelor and Everet Lish.

From the encampment on Bear River the expedition continued the journey through Malad Valley, over the Malad divide and down Bannock Creek to the Pointment, which stream they crossed on Mr. McArthur's bridge, paying \$11 for that privilege. On the 29th they arrived at the ferry on Snake River, immediately below where the Blackfoot River empties into the Snake. It took them three days to cross the river with their wagons and stock, the ferry-boat needing repairs before it could be used. On the 2nd of June the journey was resumed, and a northeasterly course taken for about sixty miles over an almost trackless waste of barren sage brush plain, and along the right bank of the river, until Market Lake was reached. Then the camp turned to the left and traveled in a northwesterly direction, over rocks, sage brush and sand, by way of Mud Lake and up Spring Creek (now Birch Creek), until they reached the Salmon River Pass. Through this part of the country they made an entire new road, not having as much as an Indian trail to guide them. Continuing through the Pass over the divide to the upper valley of the Salmon River, the head-waters of the east branch of that river, now known as Lemhi River, was soon reached, and here President Smith called a halt. Selecting five brethren of the camp, he proceeded, on the 14th of June, about thirty miles further down the river to explore for a suitable place to locate a settlement. On the 15th they selected a site for a fort and a tract for farming land, after which Prest. Smith returned to the main camp, which moved upon the site chosen on the 18th.

With that energy and determination characteristic of Mormon pioneers the brethren immediately commenced to make improvements, and they soon had a blacksmith shop in working order and also had coal burned, a plow made and a corral built for their stock. By the 10th of August they had built a fort wall and gates, seven houses and the blacksmith shop, besides breaking and planting several acres of land, and doing a great deal of fencing. They called their location Fort Limhi, after Limhi, a Nephite king mentioned in the Book of Mormon.

Fort Limhi (now spelled Lemhi) con-