

tion very thoroughly, and if they were entitled to become citizens he would probably admit them at once, and thus do away with that objection. One of the U. S. District Attorney's objections was that the venire had not been issued thirty days prior to the term of court, but that provision of the statute the judge considered directory, and he would not sustain the challenge on that ground. Another point raised by the attorney was that the occupations of the jurors had not been given in the certificates of the clerks of the counties from which they had been drawn, but that he should also overrule. He was not disposed to decide on any of the points raised in the first cause of the challenge.

(TO BE CONTINUED.)

## By Telegraph.

### AMERICAN.

NEW YORK, 23.—McNamara, shot by detectives last night, died to-day.

Washington's birthday has been quite generally observed throughout the East and South.

BOSTON, 23.—The coroner's jury, to-day, at Bridgewater, after investigating the circumstances attending the Halifax murder, returned a verdict charging W. Everett Sturtevant, grand nephew of the murdered man, with the act.

CHEYENNE, 23.—General Baker, the noted Indian fighter, arrived here yesterday, and left for the front to-day. Generals Sheridan and Ord reached Fort Laramie in safety this morning. Nine companies of infantry and seven of cavalry left here to-day for the vicinity of the Red Cloud Agency.

Considerable snow has fallen and the weather is cold.

CINCINNATI, 23.—There was no special celebration of Washington's birthday, but public buildings and river steamers floated the flag.

Dispatches from all parts of Ohio, where the temperance movement has been started, report immense temperance mass meetings and general activity; in Hallsboro the saloon keepers threaten to resume selling in strict accordance with the law.

WASHINGTON, 23.—The sub-committee of the House committee on Indian affairs, to whom the subject was referred recently, have agreed to recommend that all claims for Indian depredations be turned over for adjudication and settlement by the U. S. Courts for the respective districts where the depredations were committed.

To-day, in the equity court, Judge Wylie decided the case of Mrs. Gaines against Caleb Cushing, continuing the injunction in force, and directing the title papers to remain in the land office for the present.

BAY CITY, Mich., 23.—Intelligence reached here at noon, that at nine this morning, a cake of ice several miles in extent, broke off from the shore of Saginaw Bay, at a point east of the lighthouse at the mouth of the river, and extending down the east shore; upon this floating field of ice were not less than three hundred fishermen and several teams and sleighs. The men are well supplied with shanties, food, fuel and provisions, and when last seen they had drifted several miles northwest, and a strong southwest wind, shifting to the westward, was drifting the ice towards the east shore of the bay. A later report from Sebawaing, this evening says that fifty of the men have made a landing there; other reports from various points say that about two hundred men have escaped. Two men are known to be drowned. The ice is solid, ranging from twelve to twenty inches in thickness, and is not easily broken up.

WILMINGTON, 23.—Steve Lowrey, the last survivor of the notorious band of the Robinson County outlaws, was instantly killed in the upper part of Robinson county, by three citizens; he was tuning his banjo, preparatory to playing for some wagoners, when three shots were fired at him, taking effect in his head, and killing him instantly.

HARTFORD, Conn., 23.—The remains of Lt. Robinson, of the fourteenth U. S. Infantry, killed by Indians near Ft. Laramie, were buried at New Britain to-day, with military honors.

NEW YORK, 24.—A dispatch from Massneck Depot, North Carolina, says the shooting of Steve Lowrey, the last of the Sculleton outlaws,

causes general rejoicing in Robinson County, and that yesterday large numbers of people flocked into Lumberton, where the body lay. Lowrey, when shot, carried a rifle, three pistols and a knife. The rewards offered for his body amount to over six thousand dollars, all of which will be paid to the three young men who did the shooting.

Rev. Drs. Storris and Buddington and Rev. Mr. Beech, failing to agree on the polity and discipline of the Congregational Church, a conference has been called, to include such churches, with such eminent ministers as may fully represent the ripe and wise judgment of the Congregational Church.

The boot-blacks and news-boys have a "Grand Duke Theatre," in a basement in Baxter St., and have recently been giving a performance for the benefit of the poor of the neighborhood, realizing over fifty dollars. From the theatre is now demanded five hundred dollars by the Society for the Reformation of Juveniles delinquent, a sum which the law gives to the society as a fine for public performances without a license.

WASHINGTON, D. C., 24.—Among the visitors to the Executive Mansion to-day was Chin Fan Pin, the Chinese Commissioner of Education, who was introduced by Secretary Fish to the President, who hoped the intercourse between the U. S. and China would grow more general, and that the existing friendly feeling would never be interrupted. The members of the Cabinet were also introduced to the Commissioner.

DETROIT, Mich., 24.—It is now probable that all the fishermen on the floating ice in Saginaw Bay will reach shore safely; 200 reached the shore last night, others who were on another field, have been driven to the west shore by a change in the wind, so that they can probably land easily. The report that Smith and Poorier were drowned is untrue.

### FOREIGN.

PARIS, 23.—The citizens of Strasbourg demand of Bishop Raes the resignation of his seat in the Reichstag, because he has acknowledged the validity of the treaty of Frankfurt.

ADEN, 23.—Mr. Dillon, a member of the Livingstone search expedition, has committed suicide.

Dr. Livingstone's remains were expected to reach Zanzibar on the 20th instant.

The Cameron expedition will proceed to Ujiji, to obtain the documents and property left by the doctor.

THE HAGUE, 23.—In their last fight, the Dutch troops in Acheen captured an important fort, killing 200 of its defenders; the loss to the expedition was only six killed and fifty-six wounded.

STRAUSBOURG, 23, via PARIS.—M. Gueber and six other delegates to the Reichstag from Alsace and Lorraine, have published a manifesto repudiating Bishop Raes's acknowledgment of the Frankfurt treaty.

LA GUYARA, 9.—There was an earthquake here on the 6th instant, the severest which has occurred since 1812; the people rushed terror-stricken into the streets, and much injury was done to persons and property.

LONDON, 23.—Sir Michael Hicks Beach has been appointed Chief Secretary for Ireland, and Sir Henry Selwyn Ibbetson Under Secretary for the Home department.

LONDON, 24.—Sir Charles Adderley becomes president of the Board of Trade.

Sir John Pakington has been elevated to the peerage under the title of Baron Hamilton.

Sir Bartle Frere, at a meeting of the Royal Geographical Society, yesterday evening, stated that after a conference with Mr. Kirk he had come to the conclusion that the report of Dr. Livingstone's death was true.

The Queen, at the recommendation of Gladstone, has granted a pension of one thousand dollars per annum to the children of Dr. Livingstone.

### THE MUNICIPAL ACCOUNTS.

Opinion of Messrs. Snow and Hoge in regard to Permitting Transcripts to be Taken of the Same.

SALT LAKE CITY, February 19th, 1874.

To the Honorable Mayor and City Council of Salt Lake City:

Gentlemen—The communication

of Mr. Joseph R. Walker, chairman, and others composing a committee of eleven, submitted to us for our opinion, has been received.

The question submitted, as we understand it, in substance, though not directly stated, is, whether or not it is necessary and proper for the city council to make any order relating to this communication.

We therefore state that in our opinion it is the right and privilege of every elector of the city, or other person interested, to know from what source and how the public money of the corporation has been received, and on what account expended. But that right must be exercised in accordance with the provisions of law.

Sec. 15, City Charter, provides "That the Recorder shall make and keep accurate records of all ordinances made by the city council, and all their proceedings in a corporate capacity; which record shall at all times be open to the inspection of the electors of the city, and all other persons interested." Thus giving the right, as we have before said, to all persons interested to inspect the records. But this, though the terms are general, must be understood to mean during business hours of the day, and under the inspection and control of the Recorder. It nowhere gives the right to individuals to copy the same. It never could have been intended to allow the records to be taken from his custody or control.

They state, in their communication of the 2nd inst, that, "as a committee of eleven, they have been appointed by a committee of forty-five, from the non-Mormon voters and tax-payers of Salt Lake City, to demand an investigation and enquire into the acts of the city government, pertaining to the city funds," and that "they request the privilege of examining in full, and taking such copies as they wish of the city assessment roll, city license account, Treasurer's and Auditor's books, reports of all exclusive franchises and charters granted by the city; reports of moneys collected and disbursed on account of Water Works, with the amount of the City's liabilities and public property."

We have quoted the section above, which gives them a right to these things, if the right exists at all. As a committee, they have no rights whatever. As electors, they have the same right as other citizens, which is the right to demand an inspection of the records.

That all electors and interested parties have the undoubted right to inspect the records is true, but that all or any person has a right to make such copies as this committee demands, is in our opinion unfounded.

They demand privileges and rights as a committee that an individual citizen could not.

The committee claim the right to copy the assessment roll of the city and ask your Honorably Body to order the Assessor and Collector to allow them to do so. Sec. 65, City Charter, among other things provides that upon the return of the Assessment Roll by the Assessor, the city council shall fix a day for the hearing of objections thereto, and any person feeling aggrieved by the assessment of his property may appear at the time specified and make his objections, which shall be heard and determined upon by the council, and they shall have power to alter, add to, take from, and otherwise correct and revise said assessment roll.

When the day has been appointed, as provided in this section of the charter, any and all persons have the right to make objections to the assessment roll and urge upon the consideration of the council their reason for objecting. The council, by this section, is authorized to take from, add too, and in all things correct the same. When this is done we think the parties' rights have been determined, and afterwards they have no legal right to suggest any error in the assessment roll, and consequently have no right to a copy of the same or any part thereof. There is another view to be taken of this matter. After the assessment roll passes into the hands of the collector, he becomes the custodian thereof, and responsible for it, and the city council ought not to order him to allow the same to be copied, and should they do so he might disregard such order.

If any abuses of the position occupied by any of the officers of the city government have been committed, the remedy is at hand.

If any powers not granted by the

Legislature have been exercised by the corporation, such acts are nullities. In conclusion, we think the committee, neither as a committee nor as individuals, have any right to take copies of the records or the Treasurer's books, nor do we think the city council, as above stated, ought to order the Assessor to allow abstracts to be taken from his assessment roll.

When a municipality is authorized to grant charters for special purposes, the exercise of that authority is a part of its proceedings and comes within the provision of section 15 of the charter above quoted. Therefore the voters and those interested may inspect the proceedings.

From the foregoing your Honors will perceive that, in our opinion, no order from the city council in the premises is necessary or proper.

But we add that, in our opinion, officers having the charge of public records, in which voters or other persons are interested, and concerning which information is needed, ought to afford a reasonable opportunity to inspect the same.

From the above views it will be seen that, in our opinion, the demands of the committee should not be complied with, for to do so would, in a measure, make these officers subject to the control of the committee, and would, in a great measure, prevent them from a discharge of their duties as public officers. If the demands of the committee should be granted as a right, the same right would also belong to any and every resident of the city. This would lead to inextricable confusion and would greatly impair, if not destroy, the efficiency of the officers by preventing them from attending to their public duties.

Very respectfully yours,  
SNOW & HOGG,  
City Attorneys.

ALL KINDS of Order, Receipt and Certificate Books printed and bound at the NEWS Office.

NOTICE TO CORRESPONDENTS.—Persons sending communications to the offices of the DESERET NEWS and *Juvenile Instructor*, are requested to write to the offices separately, to avoid confusion and insure attention to their orders. All letters to the latter office should be directed "Editor *Juvenile Instructor*," w 3 tf

### NOTICE

IS HEREBY GIVEN, that I, William Morrison, Probate Judge of Sevier County, U. T., have, on the 17th day of February, A. D. 1874, at the U. S. Land Office in Salt Lake City, U. T., made cash entry No. 1301 of the following described lands in trust, for the use and benefit of the inhabitants of Richfield, Sevier Co., U. T., to wit:

E 2 of N E 1/4 of Section 35, E 1/2 of S E 1/4 of Section 28, S W 1/4 and W 1/2 of S E 1/4 and N E 1/4 and S 1/2 of N W 1/4 of Section No. 23, in Township No. 23, South of Range No. 3 West, containing 640 acres.

All persons claiming to be entitled to any portion of the above described land are hereby notified to file their statements with the clerk of the Probate Court of Sevier County, as required by an act of the Legislative Assembly of the Territory of Utah, prescribing rules and regulations for the execution of the trust arising under an Act of Congress, entitled, "An Act for the relief of the inhabitants of cities and towns upon public lands," approved March 2nd, 1867, approved February 17, 1869.

WILLIAM MORRISON,  
Probate Judge of Sevier Co.  
Feb. 23, 1874. w 4 3m

### To All Whom It May Concern.

REMEMBER that the Medical Vapor Baths, patented by G. F. MUNRO, placed in any family, and instructions faithfully carried out, will prove preventive against the majority of ills to which human flesh is heir to.

Fevers are speedily broken up in the commencement by the use of the baths.

Rheumatism, Neuralgia, Dropsy, Liver and Kidney Affections, Erysipelas, Scrofula, Scurvy, Salt Rheum, Tetters, Scald Head, Sore Eyes, etc., are cured by these baths.

If your system is charged with mercurial or other dangerous poisons, this process will remove all from the blood, and give fresh tone and vigor to the system.

Small-pox, Measles, Croup, etc., are speedily cured by these baths.

There is an economy in having one of these Baths in your house, if properly used, and no family should be without one. It is worth ten times its cost to every man who has a family. Don't put off purchasing for a more convenient season, for you may wait too long. But come right to

57 Reese Block, First South Street, and G. F. MUNRO will take pleasure in showing you his Baths and giving all information desired regarding them. w4m

### ESTRAY NOTICE.

I HAVE in my possession:  
One dark red HEIFER, three years old, right horn droops, brand on left hip resembling W. has a yearling calf with her. If said animals are not claimed and taken away, will be sold at public auction, on Saturday, March 7, 1874, at 2 p.m., at the Estray Pound at Henneferville, Summit County. WILLIAM H. BATCHELOR,  
District Poundkeeper.  
Henneferville, Feb. 23, 1874. ds&w1 a

### ESTRAY NOTICE.

I HAVE in my possession:  
One dark red STEER, about three years old this spring, upper slope and silt in left ear and underbit in right ear, branded H on left hip, some white under part of body. If not taken away within ten days from date of this notice, he will be exposed at public sale the 2nd day of March, at 2 o'clock p.m., at Mount Pleasant Estray Pound. February the 20th, 1874.  
JOHN TIDWELL,  
District Poundkeeper.  
Sanpete Co. ds&w1t

**TABLE KNIVES AND FORKS OF ALL KINDS.**  
And Exclusive Makers of

THIS Handle never gets loose. Is not affected by hot water. It is the most durable knife known. Always call for the "Trade Mark," Meriden Cutlery Company, on the blade. They are GOOD. Sold by all dealers in Cutlery. Made by The Meriden Cutlery Co., 49 Chambers St., NEW YORK.  
Our Goods are kept by Z. C. M. I. and all its branch stores, and also by the Co-operative Stores of the Territory. ds&w1y eom

## GRAND MEDAL Of Merit! VIENNA WORLD'S FAIR! 1873.

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**FOR COAL & WOOD!**  
THE BEST BITUMINOUS COAL

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THE MONITOR has gained a far-famed reputation. No higher encomium can be bestowed upon a Cooking Stove than to say that every house-wife who uses it speaks in its praise and recommends it to her neighbors and friends, for economy, cleanliness and reliability in all its operations.

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