

zales Trejo, O. H. Aoy, and J. Z. Stewart, of Logan; F. Lara, of Provo; August Wilken, of Salt Lake; A. W. Ivins of St. George.

Apostle Thatcher is the President of the Mexican Mission. The brethren laboring in Mexico at present are Helaman Pratt and Frank Snow, the former being the presiding Elder in the field. Their address is No. 7 Second San Francisco, City of Mexico, Mexico. A letter mailed here for that point will reach its destination in about seven days from date of posting.

Good young men who desire to enter upon a useful career will do well to begin and assiduously prosecute the study of the Spanish language. An important work connected with this latter-day dispensation will yet be done among people who speak that tongue. Preparation is necessary to enable it to be successfully carried forward.

SCHOOL SUPERINTENDENT'S REPORT.

THE Biennial Report of the Territorial Superintendent of District Schools is now published and ready for circulation. It is for the years ending June 30, 1882, 1883, and contains in addition to Superintendent L. John Nuttall's interesting and valuable report proper, the Report of the Chancellor and Regents of the University of Deseret, the Statement of the Principal of the Brigham Young College of Logan, the Circular of the Brigham Young Academy at Provo, Reports of the County Superintendents of District Schools, minutes of the text-book Convention, a list of the school officials, a detailed statement of the disbursements of the school funds obtained from territorial revenue, tables of school population with comparisons of school matters in the several States and Territories, a full statistical school report for Utah, and the School Law as it is now in force, including the amendments made at the last session of the Legislature.

The report shows great care on the part of the Superintendent in compiling information, and diligence in discharging the duties of this responsible office. It is also encouraging in many respects to the promoters of the cause of education in this Territory. At the close of the school year of 1883 there were 262 districts reported, with 411 schools, 491 teachers and 73 assistant teachers, 45,908 children of school age, 28,687 total enrollment, 62.5 per cent of names enrolled and an average daily actual attendance of 17,787. The value of school property is \$415,186, and the amount of money received from territorial taxes for school purposes and expended for the payment of teachers during the two years, is \$163,265.95.

The attention of school trustees and the public generally is directed to some features of the school law that ought to be specially noted. The time for the annual school meetings is the second Monday in July, and ten days previous notice must be given by the trustees. A school tax not exceeding two per cent per annum may be assessed by a majority vote of the property tax-payers resident in the district, present at a meeting called for that purpose; formerly it required a two-thirds vote. A graded school may be established in any district having a population of twelve hundred, when authorized by a majority vote of the resident tax-payers present at a meeting called for that purpose. In such graded school the higher branches of education may be taught and pupils above the regular school age may be admitted. The trustees may now assess and collect an annual tax of one-fourth of one per cent on all taxable property in the district, without calling any meeting for that purpose.

The school census must be taken on or before the second Monday in July and the trustees must make their reports to the county superintendents on or before the tenth day of August; if they fail to report, according to the form required by law, the trustees are liable to prosecution on their bonds for neglect of duty.

Teachers must obtain a certificate from the Board of Examiners, and any district employing a teacher without such certificate will lose its portion of the appropriation for the year. This certificate is valid one year only from date. University graduates must pass through the same examination as other teachers or they cannot be legally employed in a District School.

Forms for trustees' and county superintendents' reports, notices of school and tax meetings, trustees' certificate of election, trustees' official bond, teacher's certificate, contract between trustees and teacher, deed for the conveyance of land, daily school record, visitors' register, and suggestive programme for study, are appended to the school law and will save a great deal of dispute and misunderstanding if copied and followed.

We recommend all school officials to obtain a copy of the Report and make themselves thoroughly acquainted with its contents and especially with the school law, which has been amended in several important particulars. And as it has been published abroad by designing persons, officially and otherwise, that "Mormon" text books are used by our District Schools, thus rendering them distasteful to non-"Mormons," and the deception has gone so far that the Senate of the United States has made enactments based on this falsehood, we here append

from the Report the list of text books in use in our District Schools, as provided by the School Convention in conformity with law:

The Text Books in use in the District Schools:

Independent Series of Readers.
Watson's Complete Speller.
Ray's New Elementary Arithmetic.
Ray's New Practical Arithmetic.
Appleton's Standard Elementary Geography.
Appleton's Standard Higher Geography.
Swinton's New Language Lessons.
Spencerian System of Copy Books, Writing and Penmanship.
Anderson's Popular History of the United States.
Krusi's System of Drawing.

BETTER LET IT DIE.

WE published last evening a communication from Manti in regard to the action of the Supreme Court of this Territory in the Hopt case. The writer takes issue with sentiments expressed in some communications to the Salt Lake Herald, and considers that the Judges acted conscientiously in their course and had to act in a case "without a landmark or heaven-mark to aid them, no guide, no established precedent, for the like never happened before in the history of this country's jurisprudence."

W. K. R. is entitled to his opinion, of course, but we think he has scarcely given the matter sufficient consideration to make his opinion of value. There were several law-marks to guide the Court, if there were none of the kind that he mentions. We will say, in passing, that in our view his objections to expressions in the Herald ought to have been presented to the Herald in preference to any other paper, unless the Herald refused to notice his communication. His opinion seems to be drawn from the argument of the court that the Hopt case was "removed from under their jurisdiction by writ of error." That would be all very well if it covered the real ground of the criticism adverse to the Court. But it only touches the outer edge of it. The Court not only refused the stay of proceedings after the writ of error was obtained, but before it was applied for and while the case was under their jurisdiction. In one instance they refused the stay because he appeal had not been taken, in the other they denied it because the appeal had been taken.

All that could be said for the Court was forcibly but vainly urged by District Attorney Dickson. W. K. R. has not helped their cause a particle. For if their action after the appeal was taken be defended, the defence necessarily condemns their action before the appeal; and if their refusal to grant the stay previous to the appeal be defended, it reflects upon their action after the appeal. The matter is now nearly a dead issue. Better let it become totally defunct. The more the Judges are apologized for, the longer will their remarkable course provoke criticism. The public can see where the blunder was, and to the bar it is as plain as the simplest principle in law or logic.

ANOTHER OCEAN STEAMER ACHIEVEMENT.

ANOTHER great achievement in point of speed made by an ocean steamer is recorded. This time it is the America, to whom the appellation of "ocean greyhound" is probably more applicable than any other vessel. She is the embodiment of a new idea in ship-building. Heretofore the advance in speed has been achieved by increasing the size of the vessel and piling on the furnace capacity. More grates, more boilers, larger and higher funnels and vaster storehouses for coal, and of course steadily increasing ranks of engine men, have been the order, and the result has been an enormous increase of expense for the securing of a small increase in speed. In the America this order has been reversed. A considerable portion of space reserved in other vessels for freight has been cut away, admitting of her getting the speed advantage by reason of her shape. The reduction of freight room is largely compensated for by an annual reduction of expenditure of \$100,000, by the curtailment of the consumption of coal, and labor, and for the frequent tightening of plates, etc.

The America sails under the flag of the National Line and made the trip from New York to Queenstown in six days, fourteen hours and eighteen minutes. This beats the Oregon's eastward record, which was six days, fifteen hours and fifty-seven minutes.

The Guion Company are the inaugurators of the era of the introduction of steamers of extraordinary speed. They take great pride in not being outdone in that direction by any rival line. It will be remarkable if we do not learn before long of a movement on their part toward having a vessel constructed on the Clyde, that will eclipse the America or any other afloat in point of speed.

Firm friends—The dog and his tail—N. Y. Journal.

AN OPINION OF MR. JAY GOULD.

On the 18th the dispatches informed us that Mr. Sidney Dillon on that day resigned the presidency of the Union Pacific Railroad, and Mr. Chas. Francis Adams, jr., was elected in his place. It has been generally recognized as a fact that Mr. Gould was really the President of the road, Mr. Dillon practically merely representing him. The former still remains a director of the road, and if Mr. Adams still retains the same opinion of him he long since expressed, the twain are not one to any appreciable extent. Here is an extract from the expression of opinion referred to:

"Gould's operations in railway enterprises have not been of a nature likely to encourage public confidence in his ideas of fiduciary relations. He was a broker, and a broker is almost by nature a gambler, perhaps the very last profession suitable for a railway manager. In character he is strongly marked by his disposition for silent intrigue. He performs as a rule to operate on his own account without admitting other persons into his confidence, and he seems never to be satisfied except when deceiving every one as to his intentions. There is a reminiscence of the spider in his nature. He spins his huge webs, in corners and in the dark, which are seldom strong enough to resist a serious strain at the critical moment. His disposition to this subtlety and elaboration of intrigue is irresistible. It is scarcely necessary to say that he has not a conception of a moral principle. In speaking of this class of men it must be fairly assumed at the outset that they do not and cannot understand how there can be a distinction between right and wrong in matters of speculation, so long as the daily settlements are punctually effected. In this respect Mr. Gould is probably as honest as the mass of his fellows, according to the moral standard of the street; but without entering upon technical questions of roguery it is enough to say that he is an uncommonly fine and unscrupulous intriguer, skilled in all the processes of stock gambling and passably indifferent to the praise or censure of society."

THE CORRECT VIEW.

THE following dispatch, dated Salt Lake, 20th, which clearly expresses the situation in a condensed form, appears in the leading journals throughout the country:

"The Mormon press and prominent Mormons consider the Hoar bill, just passed in the Senate, as a cruel measure, harsh, unjust, tyrannical, and, in some respects, revolutionary and unconstitutional, and designed to rekindle the fires of persecution. Many of its provisions, they think, will not stand the test of judicial examination, and they claim it was evidently framed with the design to destroy the Mormon religion. They assert that the circumstances here do not call for any such enactment, and that the existing public opinion which prompted the Senators to vote for the measure has been created by the persistent circulation of false reports concerning affairs here. Upon the surface there is no excitement here, but it is evident the Mormons are nervously themselves up for a repetition of what they allege were persecutions and fortifying themselves in a belief that God will render nugatory all efforts to destroy their religion, and they feel prepared to meet all consequences."

POWERS OF WATER COMMISSIONERS.

MIDWAY, WASATCH COUNTY,
June 20th, 1884.

Editor Deseret News:

As you always appear willing to impart information for the benefit of your subscribers, I venture to ask a few questions which, I hope, will be of sufficient general interest to meet with your consideration.

My questions are in relation to disputed points in "An Act," of our Territorial Legislature, "providing for recording vested rights to the use of water, and regulating their exercise," approved Feb. 20, 1880.

First—What parts, if any, of said act have been declared void by the courts?

Second—In Sec. 1 the Water Commissioners are authorized and required to distribute the water to each person or corporation, etc. Now the question is this: "Where there is a ditch with various subdivisions belonging to thirty or forty persons, and there is no organization as a company or a corporation, is it the duty of the Commissioners or their agent to distribute the water to each individual; or does their duty end after they have turned the water, in bulk, into the main ditch from the natural source of supply?"

Third—In what manner can the Commissioners and their agents get remuneration for their services?

Yours respectfully,
Q. REUS.

We will endeavor to answer the foregoing questions to the best of our ability.

First. The only adverse decision given by any of the Utah Courts upon the law of 1880 on Water Rights, was

rendered in the First Judicial District, to the effect that those portions of the law which confer power on the Water Commissioners to determine the rights of claimants to the use of water and pass upon their disputes as to such rights, is void on the ground that it bestows upon them judicial authority, and the Legislature has no power to extend such authority beyond the limits prescribed by the Organic Act.

This decision, however, has not affected the operations of the law, for several reasons, among which are these: Previous to its rendering, Water Commissioners in the several counties had determined very large numbers of claims and had issued certificates which were generally satisfactory to the parties interested. These are not likely to be disturbed, and after they have remained in force for seven years will not be subject to litigation. And the decision, in our opinion and that of sound legal practitioners, is not founded on good reasons. The law does not interfere in any way with the right to take a disputed case of water rights into the courts. The findings, conclusions and certificate of the Water Commissioners do not amount to a judicial decision. They are merely made preliminary or necessary to the institution of a suit at law. The right to litigation is expressly reserved, in terms, in the law, and the authority of courts to issue an injunction or restraining order is acknowledged and maintained. If the parties interested are satisfied with the decision of the Water Commissioners it stands, for all needful purposes; if not, the case can be taken to a court for a judicial decision, which will dispose of it. The power of the Water Commissioners is not really judicial. There is no reason why the Water Commissioners should not go on and perform their duties under the law.

Second. We consider that when the Commissioners have divided the water from the natural sources of supply into the water ditches, or canals, of the various corporations or persons having the right to the use of water, they have done all that the law requires of them in that respect. If the joint owners do not organize and make arrangements among themselves for the distribution of the water from the ditch jointly owned by them, that is their own fault. They are really in the relation of a company, even though they may not have organized and become a corporation. A careful reading of the law will show that this is its intent, although of course, like all laws, it is subject to another construction by captious critics. It is not reasonable to think that it was the intent of the law to impose on the public—for the Commissioners are public servants—a duty and expense justly and clearly devolve upon individuals.

Third. The Water Commissioners have their office by virtue of being Selectmen. They obtain their remuneration for ex-officio services in the same way as for labors as Selectmen, namely, from the county treasury. They are entitled to the same *per diem* for their services in the capacity of Water Commissioners as for any other duty as Selectmen. The law does not say so, because there is no need to say it, for it follows as a matter of course.

We hope these replies will answer the purpose of our correspondent and friends who ask the above questions.

SCIENTIFIC AND USEFUL.

There has lately been constructed by M. M. Chailiot and Gratiot, of Paris, a new tool to which they have given the name of the bi-radial drilling machine. The arm is jointed or hinged in the middle so that the drill can be brought to any point on the table without shifting the latter. A Bevel gear transmits the power.

It is found that a superior brown tone may be produced upon brass by the following simple process: The article having been thoroughly cleaned and freed from all trace of grease, then polished, is dipped for about half a minute in a cold solution of ten grms. of hypomanganate of potash, fifty grms. green vitriol, five grms. muriatic acid and one litre of water; thoroughly drying in fine soft sawdust follows. If a reddish cast is desired, the article is to be dipped into a second bath, heated 60 degrees C., of ten grms. each of chromic and chloric acid and hypomanganate of potash, with fifty grms. blue vitriol or sulphate of copper, dissolved in one litre of water, this latter mixture alone producing a light bronze. The subsequent operation of heating in an oven produces, it is said, a very rich tone.

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