

"Last night Secretary Thomas received official notification of the passage by Congress of the provision giving the Governor of the territory power to fill by appointment all offices for which elections should have been held on the first Monday in the present month. This provision was attached to the sundry civil appropriation bill, and this bill is received by the secretary entire, as it passed both houses, with a certificate attached, attesting its correctness. It is under this that the Governor will act, and will make his appointments at pleasure."

We have no desire to be captious, but we consider that the article we have clipped contains a very grave error which should be pointed out that the public may not be misled thereby. Examination of the provision of Congress referred to will show that it does not give the Governor "power to fill by appointment all offices for which elections should have been held on the first Monday of the present month." Here is the provision, which has been published several times, but it will do no harm to repeat it once more:

"The Governor of the Territory of Utah is hereby authorized to appoint officers in said Territory to fill vacancies which may be caused by a failure to elect on the first Monday in August, 1882, in consequence of the provisions of an act entitled 'An act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy, and for other purposes,' approved March 22, 1882, to hold their offices until their successors are elected and qualified under the provisions of said act: *Provided*, That the term of office of any of the said officers shall not exceed eight months."

It will be seen that the text of the Hoar amendment does not bear out the idea conveyed in the article copied above. The Governor is authorized to appoint officers "to fill vacancies which may be caused by a failure to elect," etc. If there are any vacancies caused by the failure to elect, they may be filled by appointment. If the failure of the election has caused no vacancies, no appointment can be made. The question turns upon the term for which the present officers are elected. If they were only elected for the term ending on the first Monday in August, 1882, there may be vacancies to fill. But if they were elected "for the term of two years and until their successors are elected and qualified," then the failure to elect does not cause a vacancy. It will be found upon close examination that the term of office of the present incumbents is as expressed in the latter proposition.

The enormous powers attributed to the Governor in the first quotation above are no doubt such as some people here would like to see exercised. But no friend of the Territory is included in their number. Only those who are filled with bitterness against the large majority of the people and those who are panting after office, have any desire to see so monstrous a one-man-power established in Utah.

And we do not know of any lawyer whose opinion is of value, who maintains that the law we have quoted conveys any such authority as is claimed for the Governor in the article we have copied. The intention of those who framed and supported the enactment, as they explained in committee and also in the Senate and in the House, was merely to prevent disturbances that might arise, if the failure of the August election should cause vacancies in the Utah offices with no legal provision existing by which they could be filled; and it was virtually admitted that where in the local laws provided for the holding over of the present incumbents they would continue without interruption.

The article in the *Herald* is evidently a mistake. We cannot think that our shrewd morning contemporary intended to convey the idea expressed therein. It is important that the political position should be clearly defined and understood. There ought to be no dubiety about it. If the offices are empty the fact should be known. If they are not, the power to hold them is vested in the present incumbents until their successors are elected and qualified. If there are any vacancies to-day, those vacancies existed on Tuesday, August 11th, of the present year. If there were none then there are none now, and will not be next week or next month. It is only vacancies "caused by a fail-

ure to elect" that can be filled by gubernatorial appointment. If such a vacancy can be found we are not aware of its existence. Let those who want to see it hunt for it throughout the Territory.

Some persons have quoted with a very knowing air a provision in section 2 of the act on special elections to be found on page 27, Laws of 1878, which says:

Provided That if any person shall neglect or fail to qualify within twenty days after receiving notice of having been elected to any county or precinct office, such office shall be deemed vacant."

This provision was made in case of a special election to fill a vacancy caused by the death, resignation or other disability of a County or Precinct officer. And the question might be asked, where is there an officer so elected and so notified who has failed to qualify within the specified time? The answer will show that the provision has no application whatever to the present condition of affairs. And if our knowing objectors still contend that it has, we will respectfully inform them that their wonderful provision has been repealed. So much for that.

There is another thing in this connection which we may as well consider while we are touching on this subject. The Edmunds act provides that no polygamist, bigamist, etc., shall be entitled to hold office. It is thought that by the ousting of men holding office and said to come under either of these appellations, the Governor will have some vacancies which he is authorized to fill by appointment. Again they have tumbled into an error. The law authorizes the Governor to fill no such vacancies. He can fill those and those only which are "caused by a failure to elect on the first Monday in August, 1882." If any vacancies are made by the method described they can only be filled in the manner prescribed by law, and that does not give the Governor any power of appointment in such case.

It is not good to jump at conclusions too hastily, and usually not at all unless you are sure of the grounds of departure and arrival, and know that there are no obstructions to meet by the way. Let us all strive to look at things as they are, see eye to eye, and then be found standing manfully for the right under every circumstance and on all occasions.

LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, AUG. 18.

Information Wanted.—The whereabouts of Mary Stevenson, or any of her family, who emigrated to Utah from the Derby Conference about the year 1861 or 1862—Address: Fanny Vickers, Little Eaton, Derbyshire, England.

Going North.—Brother Andrew Jensen, editor and publisher of *Morgenstjernen* is about to start on a trip through the northern settlements, in the interest of that magazine. He will take in Bear Lake valley in his tour. Success.

Death of Bishop Ward.—By dispatch from Brigham City we learn that Bishop George W. Ward, of Willard, Box Elder County, died at 10 a. m. to-day. Bishop Ward bore the reputation of being a most exemplary upright man. He was one of Utah's old and valued citizens.

Home.—Last night Hon. George Q. Cannon arrived from Washington. He was met at Ogden by a party of friends, by whom he was escorted to the city. Mr. Cannon was accompanied by Mr. John Irvine, who has been at the capital for some time acting in the capacity of private secretary to Mr. Cannon.

Matrimonial.—In this city, Aug. 17th, 1882, Mr. T. A. Smith, son of Thos. P. Smith, and Miss Ellen E. McGregor, daughter of Wm. C. McGregor, Esq., of Parowan, Iron County, were united in wedlock, President D. H. Wells performing the ceremony. We wish them all the joys that a well begun career can give.

Bereavement.—In to-day's issue will be found a notice of the death of a little son of Brother and Sister Bassett, of Logan, Cache County. This is the fourth child the deeply bereaved parents have had to part with by the visitation of death.

They have but one little three-year old boy remaining, out of a family of five. We tender them our sincere condolence.

Hand Hurt.—On Tuesday a three-year old girl of Mr. T. H. Heward, of Kayaville, while playing in the yard, climbed on to the top of an outhouse, seizing with both hands a pole which was on the building. Soon the pole began to roll downwards, forcing the child with it. She still clung to the timber which came in abrupt contact with a board, jamming the two middle fingers of the right hand between them, tearing them in a frightful manner.—*Ogden Herald*.

Startling Storm.—The storm this afternoon was one of the most violent that ever visited this part of the country. For about half an hour hail and rain descended in blinding torrents, making shelter an actual necessity. Main Street was, during this period, converted into a miniature river, the water rushing down in a stream averaging a foot in depth and ten or fifteen in width. It is feared the fruit crops in the neighboring settlements have been seriously injured, though but little damage was done here.—*Silver Reef Miner*, Aug. 12.

A Serious Smash.—In consequence of an accident at Ogden this morning, the train from that town was about two hours late. It appears the Utah Central train had run on to the Y, when the throttle of an engine of the Central Pacific road flew open, causing the engineer to lose control of his horse. The C. P. engine dashed along the line at a high rate of speed, and struck the rear end of the Utah Central train. The consequence of the crash was that the platforms of the U. C. cars were wrecked and the frame of the engine tender badly injured. The damage by the collision is roughly estimated at nearly a thousand dollars. Fortunately there were no passengers aboard at the time and nobody was hurt.

Mission Matters.—The following are taken from the *Millennial Star* of July 31st:

A small company of Saints, 13 Icelanders and five English, sailed from Liverpool on the 22d inst., per S. S. *Arizona*. Some of the former had been cruelly persecuted in their own country, having been driven from the city where they lived and forced to sleep outside upon the ground.

We deeply regret the occurrence of a sad and fatal accident, which took place at Hollinswood, on the 21st inst., by which Bro. John Albison, of 7, Derby Street, came to his death. He was assisting at some repairs of the Oldham Twist Co's mill, when he fell from a scaffold two or three stories above the ground, and was so seriously injured that he died almost immediately.

Since the district meeting held at Derby, in the Nottingham Conference on May 28th, a spirit of inquiry has been manifest and a number of baptisms have been performed there, one of them on the night of the meeting. Since then a few strangers, among them two Christian ministers, have been attending the meetings of the Saints. One of the ministers and another convert were baptized on the 17th inst., by Brother John Lomax, our informant.

SANDWICH ISLANDS MISSION.

LATE IMPROVEMENTS ON THE PLANTATION.

Yesterday evening we had the pleasure of meeting Elder Harvey H. Cluff, who, as stated by the *News*, arrived at noon from the Sandwich Islands, accompanied by Mrs. Cluff, Elder J. G. Knell and eight natives of the Islands.

On the 1st of June, 1879, Elder Cluff and wife, Margaret A. Cluff, accompanied by Elder Carl Anderson and wife, and James G. Knell, all missionaries, left home for the Sandwich Island. Elder Cluff was called at the General Conference held in Salt Lake City in April, 1879, to preside over the Mission and take charge of the plantation at Laie.

During the three years from July 1st, 1879, to June 30th, 1882, Elder Cluff constructed a new sugar mill, at a cost of \$24,000, a flume two miles long to conduct water to the mill for the use of the vacuum pan. He commenced the erection of a new meeting house 65 x 35 feet, which was receiving the roof when

he left the Islands. He had succeeded, by leasing 48 acres of "rush land," in having two artesian wells dug which were flowing copiously, one of them discharging a volume of water sufficient to run a small mill, the rise being 19 inches above the pipe, which is 7 inches in diameter in the clear, thus converting land that has been idle for many years into blooming fields of rice.

In these labors he has been assisted by Elders Jos. H. Dean, W. D. Alexander, B. Cluff, Jr., J. G. Knell, Carl Anderson, H. A. Woolley, O. D. Allen, Sidney Coray, S. E. Woolley, S. Gentry Joan Mildrum, F. M. Marchant, E. Hansen, James Gardner and J. Rhead, all of whom rendered efficient aid in the various departments to which they were assigned. All these brethren, excepting the four first named, are still engaged in the Mission with Elder Partridge, who succeeds Brother Cluff in the Presidency.

The financial condition of the plantation is healthy, the greater part of the indebtedness incurred in making the improvements enumerated above, in connection with those of a minor character, having been paid off by the proceeds of the crops of cane gathered since the new mill was put in operation one year ago.

A new system of managing the farming interests has been inaugurated, which is designed to modify the unpleasantness experienced by the Elders of overseeing natives in the field. Parcels of land are now given to responsible natives to cultivate on shares, teams and farming implements being furnished them, the natives being held responsible for all damage done. At the time Elder Cluff left about fifty acres of land was already under this arrangement, for planting.

The feelings of Brother and Sister Cluff on leaving their island home were of such a nature as to be beyond description. The sympathy of the natives whose faces were bathed in tears as they swarmed into their residence, melted their hearts and nothing but expressions of "aloha" could be uttered. Some of the natives shook hands three or four times before they were satisfied to make their final parting. They made a feast for Brother and Sister Cluff and J. G. Knell, on the day of their departure, at which all the varieties of food used by the natives obtained from the sea and mountains, were provided, of which the guests were, according to programme, under obligations to partake.

Brother and Sister Cluff are pleased again to return to their home in Provo.

Since the above was written we have received a call from Elder Knell, who is a resident of Pinedo, Iron County. His labors principally consisted in traveling and preaching the Gospel, having visited all of the Islands, some of them three times, in that capacity. He also helped on the sugar works. He performed a good mission, feels well and is pleased to be once more at home.

FROM SATURDAY'S DAILY, AUG. 19.

Their First Meeting.—The Utah Commission met at 2 p. m. to-day for the purpose of deliberating upon the steps necessary to be taken to carry out the duties of their office. The meeting was held at the Continental Hotel.

Short of Rolling Stock.—Owing to the Denver & Rio Grande Western R.R. being short of rolling stock for the amount of its business, it is found difficult to transport sufficient Pleasant Valley coal to supply the demand.

From the North.—Apostle F. M. Lyman arrived from his missionary trip through Bear Lake Valley to-day. An account of the tour appeared in a correspondence to the *News* a few days ago. He reports the crop prospects throughout the Valley as quite promising.

Recovering from Illness.—We regret to learn that Brother Anson Call, of Bountiful, has been suffering for nearly two weeks with a severe attack of cholera morbus, which confined him during most of that time to his bed. We are pleased to learn, however, that he is now convalescent, being able to go about again.

A Welcome Storm.—At half past seven o'clock this morning there was a heavy shower, and the "artillery of heaven," rolled out some loud thunder claps, while the flashing lightning streaked about in vivid sheets and chains. The storm

has continued intermittently throughout the day. The atmosphere is clearer and cooler for the poor, and vegetation generally rejoices because of the copious rain.

A Broken Thigh.—On Wednesday an old gentleman, named Gilchrist, who lives at Coalville, met with a serious accident. He was, as we are told, in the employ of Mr. H. S. Eldredge, hay-harvesting. Having loaded a wagon with hay he started with it for the stack-yard riding on the new-mown fodder, when he fell from the load to the ground with great force, crushing the bone of his left thigh in a terrible manner.—*Ogden Herald*.

A Brutal Crime.—A week ago last Friday the person of a little girl at Smithfield, Cache County, was outraged by a stranger passing through that locality on a pinto horse. The appearance of the animal upon which the scoundrel rode was the only clue that could be given by the victim of the crime. The *Journal* states that a man having an animal of that description was arrested on suspicion of having committed the crime, but when confronted by the girl she said he was not the man, and he was discharged.

Commissioners Arrived.—The Utah Commissioners—Hon. Alex. Ramsey, of Minnesota; Colonel G. L. Godfrey, of Des Moines, Iowa; ex-Congressman J. R. Pettigrew, Fayette, Arkansas; ex-Senator A. S. Paddock, of Nebraska, and Judge Carlton, of Terra Haute, Indiana, arrived last evening. As announced in yesterday's *News*, a party of Federal and Local officials and other prominent gentlemen went up to Ogden and met the Commissioners and escorted them to the city. On arriving here they proceeded to the Continental, and being fatigued by their long journey, at once retired to their rooms.

Nearing Completion.—The outside work on the Temple is rapidly approaching completion. The masons have only to finish the mason work on the east turret, when stone laying will be done. The work of pointing up the outside of the wall is in progress, and proceeds from the top downward. As fast as the walls are pointed, a coat of paint having a faint pinkish tint is being applied. The west turret and the blemishments on both sides of the building have already been painted. The effect of the tint at a distance is chaste and beautiful in the extreme.

Inside, the work of finishing progresses rapidly, and is so far completed as to give the visitor a good idea of what the appearance of the various apartments will be when the work of finishing is completed.—*Utah (Logan) Journal*.

THE BUFFALO VICTOR CANE MILLS AND EVAPORATORS

are acknowledged superior to all others. H. B. Clawson has them in stock. Send for prices and circulars.

Hersford's Acid Phosphate in Dyspepsia.

Dr. A. Jenkins, great Falls, N. H., says: "I have prescribed it and can testify to its seemingly almost specific virtues in cases of dyspepsia, nervousness and morbid vigilance or wakefulness."—*deod sw & w.*

AN ENTIRE CAR LOAD.

Shipment of American Older Mills and Buffalo and Victor Cane Mills just received by H. B. Clawson—A large percentage in the cost of these goods is saved by shipping in car lots and Mr. Clawson proposes giving his customers the full benefit of this—Bear this in mind when you get ready for a Cider or Cane Mill.

GOING SOUTH.

Mr. J. P. Meakin in going south to canvas for Gaskill's Compendium of forms, intends to visit the principal towns in the southern part of the Territory. This is a valuable work and recommends itself to all who will examine it, as the following certificate will show:

"I have found Gaskill's Compendium of Forms a most valuable book of an easy and comprehensive reference.

Containing as it does so much useful information relative to social and business life, that is otherwise readily accessible only through an extensive and well selected library, makes it a valuable and economic compendium suited to every household and to every business office."

Yours truly,
JOHN R. PARK.