

Orson A. Woolley, who sue "for themselves and in behalf of all others similarly situated." The nature and objects of the action are fully set forth in the complaint, which is as follows:

"For complaint herein the plaintiffs allege:

"1—That prior to March 13, 1890, the following described territory, to-wit: all of that part of the city and county of Salt Lake, Utah Territory, between the south side of East South Temple Street and the east side of Seventh East Street and the north side of Third South Street of Salt Lake City, and west side of the United States military reservation, comprised the Eleventh school district of said city, county and territory, and was duly organized as such under the statutes of this territory in force prior to said date.

"2nd—That each plaintiff herein is a taxpayer in said school district, and that all plaintiffs similarly situated are the several tax-payers of said school district who have not had the special school tax levied for the year 1890.

"3rd—That the questions herein are of general interest to many persons, to-wit: all the tax-payers of said district last above described.

"4th—The parties plaintiff to this action are very numerous and it is impracticable to bring them all before this court.

"5th—That the defendant, L. G. Hardy, is the duly elected, qualified and acting collector in the county of Salt Lake and Territory of Utah.

"6th—That the said board of education was duly elected on the second Monday of July, 1890, pursuant to law, and that afterwards, prior to the 30th of July, 1890, qualified and entered upon the duties as said board.

"7th—That J. B. Walden is the treasurer of the city of Salt Lake and of the said board of education.

"8th—That it is the duty of L. G. Hardy to collect the special school tax assessed as hereinafter set forth.

"9th—That the defendants, the board of education of Salt Lake City, and J. B. Walden, treasurer of said board, claim to be entitled by law to receive and collect all of the said special school tax hereinafter mentioned.

"10—That prior to December, 1889, said school district was indebted in the sum of \$5500 as a balance due for the erection and equipment of a new school building.

"11th—That on or about December 15, 1889, the tax payers of said school district, at a meeting duly called for that purpose, in accordance with the statutes of this Territory then in force, assessed a special school tax of one per cent upon all the taxable property of said school district for the purpose of paying the balance of the indebtedness upon said school house, amounting to \$5500 and for no other purpose.

"12th—That said assessment was based upon the assessed valuation of the taxable property in said district for the year 1890, which valuation was about \$500,000, 1 per cent of which valuation would have been ample to pay the indebtedness of said district.

"13th—That through no fault of the plaintiffs, the taxable property in said district was for the year 1890 assessed at \$1,642,400 by the assessor of Salt Lake County.

"14th—That thereupon the assessor and collector of said county made a levy for special school purposes of 1 per cent upon all the taxable property in said district, as valued by the assessor, which levy will, if collected, compel the taxpayers of the said school district to pay the sum of \$10,924 in excess of the amount actually necessary to pay the balance of the indebtedness of said district and in excess of the amount which they intended to assess and pay.

"14th—That the assessment of 1 per cent as above referred to and made by the taxpayers of the Eleventh school district was made through a mistake of fact in this, that they believed the assessed valuation of the property in the district would not materially exceed the sum of \$550,000; that had they known the true assessment valuation of the taxable property in said district they would have made an assessment of not to exceed 4 mills on each dollar of such valuation.

"15th—That on the 19th day of July, at a special meeting of the taxpayers of said school district, the taxpayers voted to reduce the assessment to 4 mills, and by their agents duly appointed, requested the county board of equalization to reduce the assessment to 4 mills on each dollar of assessed valuation.

"17th—That the county board refused to reduce said assessment.

"18th—That the plaintiffs herein offered to pay a tax of 4 mills on each dollar of assessed valuation of property in said district or such a per cent as will be necessary to raise the sum of \$5,500.

"19th—That a tax of four mills will be ample to pay all the indebtedness of the district, to-wit, the sum of \$5,500.

"20th—That if the collector of the county be allowed to collect said tax so assessed by mistake as above set forth, it will result in a great injustice to the taxpayers of said district and will cause an irreparable injury in this: that the excessive amount so collected will under the laws of Utah Territory, as they now exist, insure to the benefit of all the citizens of Salt Lake City, and only indirectly will any of the benefits inure to these plaintiffs.

"21st—That if the collector be allowed to collect the said tax, it will be contrary to the intention of the taxpayers who made said assessment.

"Wherefore, the plaintiffs pray that Collector Hardy be restrained by injunction from collecting any special school tax from the taxpayers of said district in excess of 4 mills on the dollar of the assessed valuation of the property in said district, and that the assessment be decreased from 1 per cent. to 4 mills."

Stephens & Schroeder are the attorneys for the plaintiffs.

MR. ELLIS' LECTURE.

At the theatre Oct. 15th, a rather small but appreciative audience was

gathered to listen to the lecture of Mr. Charles Ellis.

The lecturer introduced his subject, "The history of the Mormons between 1847 and 1870," with an account of how he had been forced to change his opinions of the "Mormons" since he became acquainted with them; the treatment he, himself, had received from anti-"Mormons" led him to investigate the facts in the issue between the "Mormons" and their opponents, and he had been led to the conclusion that the former were most unjustly belied. He did not belong to any church, but he would speak the truth in spite of all venom that might be brought to bear against him. The lecturer then reviewed the principal events in the history of the Latter-day Saints since their entrance into this Territory. He proved with irrefutable arguments, based on public documents, that every act of the leaders of the Saints proved them to be a loyal people. The Saints had been instrumental in putting down the first rebellion that ever disgraced the history of the United States, inasmuch as they had sent their battalion to dethrone General Fremont, who had commenced rebellious operations in California. On the other hand, General Johnston, who for a long time posed as the one who was to extinguish the alleged Mormon rebellion, died a rebel, in arms against his country.

The cause of the inveterate hatred against the Latter-day Saints was traced to the determination of Fremont to have revenge over the "Mormons" and to the desire of the republican party to find some strong point against the democrats, with whom the "Mormons" had fraternized. To these causes were added the fanaticism and bigotry of the "evangelical sects," who were full of envy on account of the success of these "heretics." And these causes combined were strong enough to incite the nation to a struggle against a part of their fellow citizens, a struggle which has not yet ended.

The lecturer described in a most eloquent manner the heroism of Brigham Young, who, when the Territory was threatened by invasion, rose to the occasion and declared that by the help of God Almighty, that should not be. "Whatever the verdict may be now," he said, "an impartial history will say that he did right."

He closed with a most glowing tribute to the memory of Brigham Young, whose name and fame would be cherished by the American nation, when the names of those who now denounced him had been forgotten or despised.

The lecture of Mr. Ellis was replete with information on the subject he handled; his logic was irresistible and his sentences were at times arrayed in the eloquence of an orator who is conscious of defending the truth in the midst of opposition.

The lecture should be heard throughout the whole United States.

His next lecture on the "Liberalism of Utah" will, no doubt, draw a full house.