

of the respective districts, yet in truth and in fact the manner of conducting all of said schools, including the school in the Seventh district, including the selection and employment of teachers in all of said schools is controlled and determined by the law and ecclesiastical officials of said church, to whom the trustees of all said school districts defer, and whose counsel they listen and accede to in all such matters.

That all the teachers in all the schools in all the school districts in said Territory, including the school in the Seventh district, are now and at all times heretofore have been members of the said church, and that none but members of said church are permitted by the school trustees, yielding to the counsel of the lay and ecclesiastical officials in authority in said church, to be employed in any of said schools as teachers.

That in all the so-called public schools in said Territory, under the Territorial school system, and particularly in the school held and maintained in the Seventh district, the teachers and pupils in the schools, during school hours, engage in certain devotional and religious exercises, and that at least indirectly the doctrines and tenets of the church are inculcated and taught.

That in the future said doctrines and tenets will continue to be inculcated and taught in said Seventh district school.

That they nor either of them are members of the said church, nor believers in the doctrines thereof, and do not desire nor intend to suffer any of their children to attend or enjoy any of the advantages of said school at any time in the future, and that they ought not to be taxed to raise a fund to build such or any schoolhouse in the said Territory, or in any way be compelled to contribute to the support of the schools to be held or had therein, because said schools, as plaintiffs are informed and believe, and upon such information and belief charge the fact to be, are and in the future will be sectarian in their character. That the school heretofore had and maintained in said Seventh District, and which is in the future to be kept and maintained in the schoolhouse to be erected and paid for by the tax levy herein complained of, has not been, is not now, and in the future will not be a free public school.

That a monthly sum for tuition heretofore, is now, and in the future will continue to be compulsorily exacted from and for all children and persons in said school district who have heretofore attended, do now, or in the future may attend said school for instruction therein, and that said school has been and in the future will be a private school."

Mr. Sheeks made a short opening argument, showing that if there were anything wrong the remedy lay with the Legislature; that body had made the law and Congress knew when it created that body that they were chiefly Mormons. He cited authorities supporting his position.

Mr. C. S. Varian followed Mr. Sheeks. Said it was part of the unwritten law of the land that all sectarian teachers be excluded from the public schools. Referred to authorities to show that courts had a right to interfere in such matters. The main portion of his remarks was a harangue against the "Mormon" Church, accusing it of controlling the education of the young, and predicting that it would always continue to do so, if not stopped by the strong arm of the law.

Mr. Rawlins closed the session with an hour's speech. He showed that the fact that there was a dominant church here had no more connection with levying and collecting taxes than does the claim of the Pope to infallibility. The complaint alleges that no one can be elected to an office without the consent of this Church. That is not true, at least of the Trustees of the Seventh District, as one of them is conceded to have been elected by the Liberal vote. He said the Court might be justified in interfering with the schools if it could be shown that any sectarian books were used, or that the teachers spent any time in making converts to the Mormon faith, or that the law is violated in the engagement of teachers. Nothing of the kind is here shown, and no action can be taken until it is shown.

The authorities quoted were taken to the Judge's chamber.

THE RULING.

This morning Judge Zane denied the motion of Sheeks & Rawlins on behalf of the Trustees to strike out. The opinion was expressed orally and occupied over an hour in delivery. He took the position that taxation could only be assessed for public purposes and the complaint showed on its face that the tax in dispute was for the purpose of carrying on a sectarian school in the 7th District, under the guise of a public school, to teach sectarian doctrine. He held that as there was a dominant Church in this Territory claiming to direct the temporal affairs of its members the law passed by the Legislature in relation to school tax, so far as it contributed to a sectarian object, was improper, because that body was forbidden by the organic act to pass a law for any other than a public purpose.

After the opinion was delivered Mr. Rawlins moved that the case be heard to-morrow on demurrer.

Mr. Varian asked for more time to get proofs, etc., ready.

This request was met with a remark

from Mr. Rawlins that when the gentleman on the other side drew the complaint he ought to have been in a position to know what he would be able to prove.

After further remarks by counsel on both sides, it was agreed that the case should come up on its merits and be heard on January 2nd, 1885.

CORRESPONDENCE.

LOGAN, Cache County, Utah,
December 10th, 1884.

Editor Deseret News:

On Friday, Dec. 5th, 1884, Sister E. Benson, Stake President of Relief Societies, with her counselor, Lucy Cardon, started out to visit the settlements north of Logan that had not been already visited this year. They remained over night at Trenton, making an appointment for Sunday afternoon, then went on to Clarkston and held a meeting.

On the same day, our Primary president, Jane Molan, with her first counselor, Adeline Barber, two other ladies and James, the boy emigrated two years ago by the Cache County primaries, as driver, also started, to fill appointments north of Logan. On reaching Clarkston, they attended a choir party, where they met a kindly welcome from Bishop Jardine and others present. They were much gratified to see the courtesy and good order there practiced.

On Saturday, at 10 a. m., in the Clarkston schoolhouse, the Relief Society held their meeting, Mary Griffin presiding. The societies of Clarkston, Newton and Trenton were represented, and the reports of each were very favorable. The president of Trenton was honorably released and Catherine Ames appointed to fill the vacancy. The congregation was then instructed in many things by the visiting sisters, and all invited to attend the Primary meeting, which met at 1 p. m. A full house was the result, and after hearing the reports, Sister Molan questioned the children on many subjects, requesting them always to answer in concert. She gave some excellent instruction, and was followed by the other sisters, each speaking a few words of comfort, counsel and exhortation.

After this meeting Sister Benson returned to Trenton to fill her appointment. Met there President C. O. Card and Counselor Orson Smith, Sister Carrie Smith and Miss Carlisle. They held meeting there conjointly. The Primary company went to Newton. They met the Stake President, C. O. Card, and party at the Sabbath school, held a conjoint meeting, where much good instruction was given. A good deal was said to the little ones about answering questions of strangers in regard to their family relations.

The Primary party returned through Benson and held a meeting at Hyde Park at 3 p. m. on Monday. The house was filled and the exercises were exceedingly well rendered. The children, without being bold, were quiet and self-reliant.

At Clarkston Sister, Emma Pike, related a warning dream to the effect that herself, E. L. Crowther and the teamster were in imminent danger of being overturned on a dugway. It came true, and only by keeping our seats as we had done in her dream we were saved from a bad accident.

I cannot conclude this article without mentioning our little picture gallery. By way of change, the children of the Sixth Ward Primary were each instructed to draw with a pencil a picture. There was a great variety, showing plainer than words the character of the draughtmen, portraits of President Emma Pike and husband, her Counselors and gorillas, monkeys, roosters, cats, bears, geometrical lines, etc., were among the collection, and were shown to the children at Clarkston and at Brother Rigby's.

Hoping you will find room for the little sketch, I am respectfully,
E. L. CROWTHER.

SAN LUIS STAKE CONFERENCE.

The San Luis Stake Conference was held at Manassas, San Luis County, Col., on the 6th and 7th insts. It was well attended, the meeting house being crowded at each meeting.

The Bishops reported their wards in good condition, there being a manifest improvement in the feelings and faith of the Saints since last conference; the Mutual Improvement Associations, Relief Societies and Primary organizations are all in good condition; a good spirit prevailed, much valuable instruction was given by President Smith and the Elders who spoke, and the people returned to their homes encouraged to continue in the good work in which they are engaged.

The general and local authorities were sustained by unanimous vote.
A. R. SMITH, Stake Clerk.

PANGUITCH QUARTERLY CONFERENCE.

The Pangitch Quarterly Conference commenced at 10 o'clock a. m. Saturday, November 29, 1884.

Present on the stand: Of the Apostles, F. M. Lyman and George Teasdale; of the Stake Presidency, Prest. J. W. Crosby, jr., and Counselors M. M. Steele and David Cameron; members of the High Council, the Bishops, and leading men of the several wards. President Crosby made a report of

the condition of the Stake, reporting it as being in a healthy condition spiritually, but rather bad financially in consequence of the destruction of crops by frost.

The Bishops reported their respective wards, except Bishop Elmer of Cannonville, who has moved to Arizona.

Brother James A. Ross addressed the conference on the financial condition of the Stake, and exhorted the people to seek first the kingdom of God.

Adjourned to 2 p. m.

2 p. m.

Joseph L. Heywood reported the High Priests' Quorum as improving. Apostle George Teasdale occupied about forty minutes in expounding the principles of the Gospel and teaching the people how to live them.

Apostle F. M. Lyman occupied the remainder of the afternoon, gave much valuable instruction that we hope will long be remembered.

Choir sang, "Let sinners take their course."

Adjourned to 10 a. m., Nov. 30.

10 a. m.

President Crosby spoke. Counselors Steele and Cameron followed.

Apostle Teasdale then preached a discourse, showing the necessity of keeping the whole law of the Lord.

2 p. m.

The Sacrament was administered. Apostle F. M. Lyman explained the duties of the various quorums, exhorting the Saints to beautify their homes, by setting out trees, etc.

Apostle Teasdale spoke about twenty minutes, dwelling on the necessity of having a missionary farm to each Ward.

Apostle Lyman urged the Saints of Pangitch to complete the new meeting house now in course of erection.

Adjourned to Feb. 28, 1885. Benediction by J. W. Crosby.

W. P. SARGENT, Clerk.

The sugar factory of Meserille, at Vienna, has failed. Liabilities \$800,000. The failure was caused by the stoppage of the Bohemian Land Mortgage bank.

"ROUGH ON COUGHS."

Ask for "Rough on Coughs," for Coughs, Colds, Sore throat, Hoarseness, Trachea, 15c Liquid, 25c

STRAUSS' POPULARITY.—One of the causes of Strauss' remarkable popularity in Vienna, as lately shown on the occasion of his anniversary festival, is the incitement which his waltzes have contributed to the formation of frequent dancing parties, with the result of bringing young people together, and, as a consequence of promoting matrimony. The Viennese say he is the greatest match maker in Vienna. "It was to the sound of one of your waltzes," Count Sullivan, the husband of Charlotte Wolter, the distinguished actress, wrote to him on the occasion of his fete, "that I first placed my hand in that of my wife;" and the composer has had hundreds of similar letters.—*St. James' Gazette.*

"ROUGH ON TOOTHACHE."

Instant relief for Neuralgia, Toothache, Faceache. Ask for "Rough on Toothache" 15c & 25c

ORDER.

In the Probate Court, in and for Salt Lake County, Territory of Utah.

In the matter of the Estate of Ernest I. Young.
Order appointing Time and Place for Settlement of Account and Discharge.

ON READING AND FILING THE Petition of William Asper, Administrator of the Estate of Ernest I. Young, deceased, setting forth that he has filed his final account of his administration upon said estate in this Court, and that the same has been duly audited, allowed and confirmed; that all the debts and expenses of administration have been fully paid, and that a portion of said estate remains to be divided among the heirs of said deceased, and praying among other things for an order of discharge from further duties as said administrator.

It is ordered that all persons interested in the estate of the said Ernest I. Young, deceased, be and appear before the Probate Court of the County of Salt Lake, at the Court Room of said Court, in the County Court House, on the 26th day of December 1884, at 11 o'clock a. m., then and there to show cause why an order should not be made allowing said final account and discharging said administrator, according to law.

It is further ordered that the Clerk cause copies of this order to be posted in at least three public places in this County and published in the DESERET WEEKLY NEWS, a newspaper printed and published in Salt Lake City for at least three weeks prior to said 26th day of December, 1884.

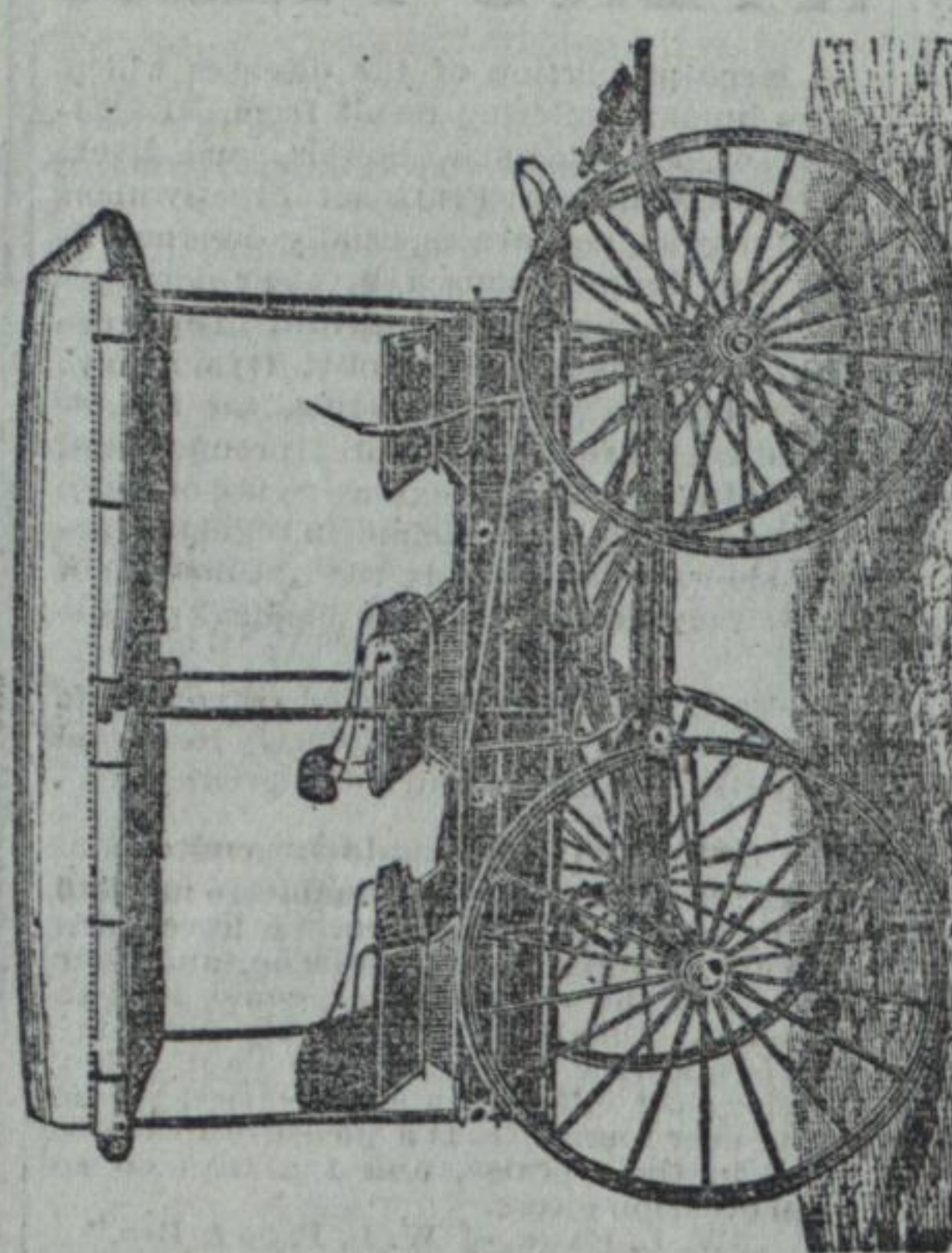
ELIAS A. SMITH,
Probate Judge.
Dated November 26th, 1884.

TERRITORY OF UTAH,
County of Salt Lake.

I, John C. Cutler, Clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of an order appointing time and place for settlement final account and discharge of administrator in the matter of the Estate of Ernest I. Young, deceased, as appears of record in my office.

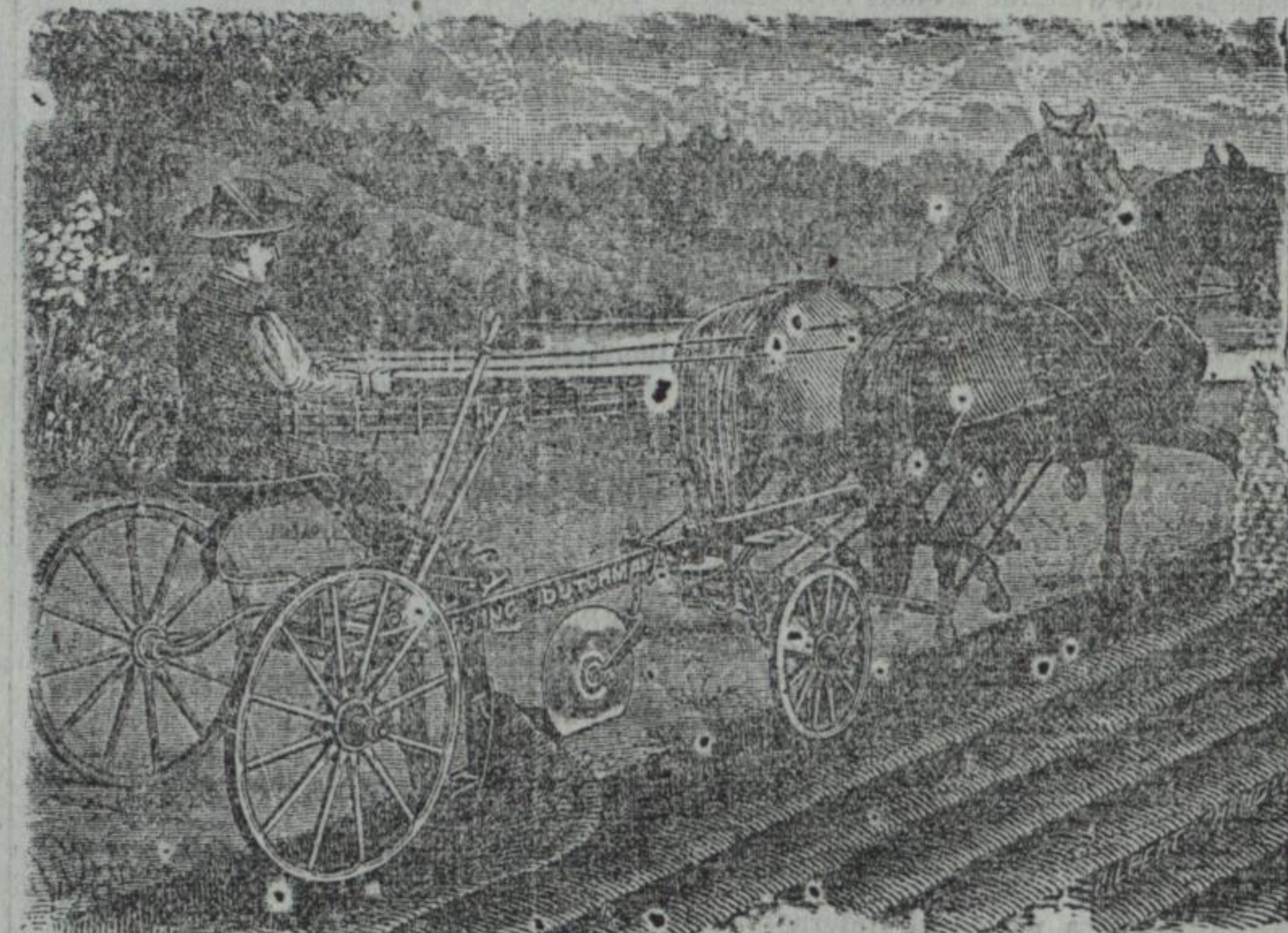
In witness whereof, I have hereunto set my hand and affixed the seal of said Court, this 26th day of November A. D., 1884.

JOHN C. CUTLER,
Probate Clerk.



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