

strong, Elijah M. Weiler, and Samuel Bennion, did unlawfully conspire and combine together to present to the county treasurer of said county of Salt Lake and Territory aforesaid, for payment by him, the said treasurer, as treasurer aforesaid, from the public moneys of said county then in his keeping, a certain false and fraudulent warrant and writing for the payment of the sum of six hundred and twenty-five dollars, to the said defendant Elias A. Smith, as salary or compensation for said Elias A. Smith, as superintendent of county affairs, with intent then and there to defraud the said county of Salt Lake, and the treasury thereof; that in pursuance of said unlawful conspiracy and combination thereafter, on the day last aforesaid, they, the said Elias A. Smith, Francis Armstrong, Elijah M. Weiler and Samuel Bennion, in their official capacities as members of the county court of Salt Lake County aforesaid in the said county, did unlawfully cause to be made and entered of record upon the records of said county court, a certain order purporting to appoint the said defendant Elias A. Smith a superintendent of county affairs, and purporting to fix a salary or compensation therefor at the sum of twenty-five hundred dollars for the year ending December 31, A. D. 1888, to be credited and paid to said defendant, quarterly; that in further pursuance of said unlawful conspiracy and combination, the said defendants, Elias A. Smith, Francis Armstrong, Elijah M. Weiler and Samuel Bennion, did, on the fifth day of September, A. D. 1888, procure and cause to be drawn a warrant for the payment of six hundred and twenty-five dollars, on the treasurer of said county in favor of said Elias A. Smith, and did then and there, with intent to defraud the said County of Salt Lake and the treasury thereof, procure and cause the same to be presented to said treasurer by and on behalf of said Smith, for payment, and thereupon the said treasurer, upon the authority of said warrant, then and there did pay to said Smith the sum of six hundred and twenty-five dollars, as aforesaid, from the treasury and of the moneys of said County of Salt Lake, Territory of Utah, aforesaid, against the peace and contrary to the form of the statutes of said Territory in such cases made and provided.

JNO. T. LYNCH,

Foreman of Grand Jury.

C. S. VARIAN, U. S. District Attorney.

By WM. MCKAY, Ass't U. S. Attorney.

Endorsed — Witnesses: M. E. Cummings, John C. Cutler, public records and documentary evidence.

A second indictment of the same nature was presented. All will be pleaded to on Tuesday.

The attorneys for the defense are Messrs. Le Grand Young, F. S. Richards and J. L. Rawlins.

I regard to the last indictments read there is a little incident that may not be uninteresting to the public, as an exhibition of the motive and method of the grand

jury. It will be noted that Judge Smith is indicted on two charges for appropriating the salary of an office which he held—Superintendent of County Affairs, in 1888. The fees of the office of probate judge were then comparatively small. But the next year, when these fees more than doubled what they were formerly, Probate Judge Marshall received for some nine months the salary for the same office which Judge Smith held, yet there is no indictment against him. Judge Marshall is a member of the "Liberal" party. Judge Bartch, also a "Liberal," holds the same office today, and while his salary has not yet been paid, because the first quarter has not ended, it is safe to say that unless it is paid Judge Bartch will not long hold the position of Probate Judge, for to attend to work connected with the office, as superintendent of county affairs, without a salary, is more than reasonable people will ask or than men can afford to do.

Each and every indictment shows on its face the motive which prompted its finding, and the object sought to be attained. The whole thing may not be exposed to light in court till after the next municipal election, as it is unlikely that the cases will be tried before then, but the public are now in possession of most or all of the facts, and the infamy of the recent grand jury's proceeding must be apparent to all.

#### THE B. Y. ACADEMY.

Dec. 20th the B. Y. Academy at Provo closed its first term of the present academic year, after a period of very successful work. The following is an extract from the principal's report:

There have been registered during this term 360 students. This number exceeds the attendance at the same term of last year by 25, making this the largest attendance since the fire.

The Normal Department, consisting of 97 students, has exceeded the number of the previous year by 40, thus reaching an attendance as unexpected as it is unprecedented, testifying to the high appreciation in which its labors are held among the people.

The great demand for teachers during the fall of this year compelled us to release several of our normals, though not sufficiently prepared, to take positions in Church schools, and to act as teachers in the district schools.

All normals have had practical work, either teaching classes or attending occasionally to repetition work.

The General Board of Education has recognized the Brigham Young Academy as the Latter-day Saints' Normal College, not only on account of the large number of students attending our normal department, but also because by far the greater majority of all our Church School principals and teachers are graduates of this institution, and the B. Y. Academy is the pioneer and prototype of all

recently started Church schools. This circumstance imposes upon the Board of Trustees and the Faculty the utility of making continued exertion in order not only to maintain our present standing in this capacity, but to prepare also for the greater demands which the future with its educational developments will make upon it.

The theological work has been conducted as heretofore, and all our students, ranging from the Deacon to the High Priest, have had ample opportunity to magnify their calling. The non-members and lay members have also had their duties to perform. Several baptisms, confirmations and ordinations have been attended to.

The students from outside of Provo were distributed in fifty-one boarding places, and visited bi-weekly by appointed visitors, who make their reports at our domestic meetings.

The Church school organization, of which the B. Y. Academy is a part, has, since our last public examination, entered upon the second year of its official existence, and consists already of three colleges, nineteen Stake academies, and five Latter-day Saint seminaries, in which at present over 3000 students receive their training. This is cause for rejoicing and for thanksgiving unto the God of Israel, who has added to the primaries, Sunday schools, and mutual improvement associations another agency to prepare the youth of Zion for the great future.

#### CLOSING REMARKS.

Thus closes the first term of the fourteenth academic year in a condition of progress and prosperity which augurs well for the future. Like a bayonn tree that spreads its branches far and wide to take roots for themselves, the B. Y. Academy has seen of late similar institutions springing up throughout Zion, conducted by its pupils, organized after its pattern, and united with it by one spirit, having in view the same aims, and being under the same paternal care of the General Authorities of the Church.

If our struggles in the past have not been in vain; if our faith in the stability of the B. Y. Academy has been verified by its prosperity; if our hope for its future development is resting upon substantial ground, let us give thanks and glory to Him who has been with this institution throughout all the changing scenes of its existence, and will not forsake it if Board and Faculty will serve Him in sincerity and in truth.

People's Campaign Circular No. 1.

#### HUMAN RIGHTS!

#### Religious Liberty.

"To suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all religious liberty. It is