

THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 24.

Salt Lake City, Wednesday, July 14, 1880.

Vol. XXIX.

ESTABLISHED 1850.

THE DESERET NEWS: WEEKLY.

One Copy, one year, with postage....\$3.50
" " six months, " 2.00
" " three months, " 1.00

THE DESERET NEWS: SEMI-WEEKLY.

One Copy, one year, with postage....\$4.00
" " six months, " 2.00
" " three months, " 1.00

THE DESERET EVENING NEWS.

One Copy, one year, with postage....\$10.50
" " six months, " 5.25
" " three months, " 2.65

—TERMS—IN ADVANCE—

LOCAL AND OTHER MATTERS.

FROM WEDNESDAY'S DAILY, JULY 7.

To the Coast.—Apostle F. D. Richards left Ogden last evening for San Francisco, expecting to be absent several days. He was accompanied by his wife, Mrs. Jane S. Richards.

Utah Eastern.—A gentleman just in from Coalville reports that the Union Pacific teams which had commenced grading this side of Coalville, have for some reason been withdrawn. The Utah Eastern work is progressing rapidly and admirably.

Rufus Taylor Dead.—It is reported that the young man Rufus Taylor, who was shot in the head several months ago at Salina, and who was recovering so nicely from his wound, although the bullet still remained in the skull, died at Little Salt Creek at 10 o'clock on the morning of the 4th inst., from the effects of his injury.

Deseret Museum.—Received, for the Museum library the following publications:

Spring Blossoms, by Leo Haefeli and E. H. Anderson, published at Ogden.

Comprehensive Salvation and The Latter-day Prophet, both by John Nicholson, published at Liverpool, England.

For which the curator of the Museum is under obligations to the respective authors.

A specimen of the mineral wax of Utah beautifully modeled has been sent by Mr. F. W. Day, to the Museum.

Cut His Foot.—From the *Junction* of Saturday:

On Thursday afternoon, Mr. David Eccles met with a severe accident near his saw mill, above Ogden Valley. While he was chopping timber, the axe slipped off from some ice which was on the tree, and glancing off, cut his right foot in a very serious manner. He was conveyed to his home in this city, on Franklin Street and Dr. Carnahan was sent for, who attended to the affair with his usual skill and carefulness. Mr. Eccles, we are glad to state, is getting along as well as the circumstances allow.

Programme of Travel.—Prof. K. G. Maeser, who has started out on his educational tour through Northern Utah, sends us the following prospective programme of his journey, including the date of his return:

From July 6th to the 11th, Box Elder Stake; 12th to 25th, Cache Stake; 26th to August 1st, Bear Lake and Rich Counties; Aug. 2d and 3d, Huntsville; 4th, North Ogden; 5th, Plain City; 6th, West Weber; 7th, Hooperville; 8th, Kaysville; 9th, Farmington; 10th, Bountiful; 11th, Salt Lake City; 11th to 16th, Tooele; 17th, Provo.

Ashley Fork Items.—Mr. Jos. H. Black, who arrived last night from Ashley's Fork, gives us the following particulars of the progress of affairs in that locality. The valley is from four to eight miles wide, and fifteen miles long. The winter has been a very severe and trying one to the settlers, but the prospects for the future are now very encouraging. A mining camp, likely to be established at the head of Brush Creek, will furnish a market for the produce of the settlers. The government has surveyed a road by Fort Bridger to Uintah Agency, which will be a great convenience to the inhabitants of Ashley's Fork. Mr. Black says he learned on the way that a man and horse

were drowned in Green River, while attempting to cross. The unfortunate man, named Matt Welch, had only one leg, and had been drinking. The body was not recovered.

An Interesting Letter.—From a private letter written by President A. O. Smoot, at Honolulu, on the 14th ult., we learn that he intended starting for home on the 5th inst. (last Monday.) His health has improved during his absence in the "Islands," and he will return, no doubt, much benefited by his trip abroad.

Among other interesting items in his letter appears the following:

"I have had quite a social conversation with King David Kalakaua. I find him to be quite a free and easy gentleman. He speaks the English language quite easily and fluently. I find him to be a well educated man of about 40 or 45 years of age, possessing a medium education and talent. He speaks favorably of our people. Our interview was of just 40 minutes. When we arose to leave the palace, I made the request of him to deal kindly to our people, and bore to him a faithful testimony of the truth of the great work in which we are engaged. The captain of his guards belongs to our Church and attended our meeting to-day."

FROM THURSDAY'S DAILY, JULY 8

Pioneer Flags.—Any person who knows of the whereabouts of the Pioneer flags, or either of them, is requested to send word immediately to the undersigned.

WILFORD WOODRUFF.

An Item in Soda.—To give an idea of how our soda fountains manage to eke, or rather leak out an existence, it may interest statisticians to know that 2,240 glasses of the beverage were drank at the Co-op. Drug Store, on the 5th inst.

Paid Off.—A lively scene took place at the Utah Eastern Railroad Office in this city on Saturday. A large company of employees of the road came in and were paid off for the "Fourth." They returned Tuesday morning to their work, as usual, having had a good time and feeling ready to resume their duties.

Married.—To-day, Mr. Jedediah Aylett and Miss Alice Cecelia Penrose were married at the Endowment House, by President D. H. Wells. The husband is the son of William Aylett, Esq., of West Jordan, the bride a daughter of Hon. Chas. W. Penrose, of this city. We congratulate our young and happy friends on their union, and wish them a world of joy and prosperity, both here and hereafter.

Seduction.—The *Junction* of Tuesday evening mentions a case of seduction in that city, commenting upon it at length, but suppressing names. It says, however, that the victim is a young girl of about 16 years, of respectable parents. Last night's issue of the same paper states as follows:

"Cole, the seducer, appeared before Justice Middleton this afternoon. Through his attorney, P. J. Barratt, he pleaded not guilty, and was given further time to prepare for his defense."

"Enquirer" Notes.—From yesterday's issue:

Nearly 100 picnickers went up Provo canyon on Saturday last to have a nice quiet celebration of the 4th all to themselves. We understand that Hon. John B. Milner was the orator on the occasion.

Evidently the man Rager, who was sent from Salt Lake to take the census of Benjamin, Salem, Alpine, Cedar Valley and Thistle Valley precincts, has been slighting his duties. His lists are now in the hands of the County Clerk, and we trust that those individuals who are knowing themselves to have been neglected by this man, will come forward and contest his lists.

Ephraim City, Sanpete County, will hold her biennial election for city officers on Monday next. The People's Ticket is as follows: For Mayor, J. P. Christensen; Councilors, Canute Petersen, Henry Beal, L. S. Anderson, N. C. Christensen, Jens Anderson; Justices of the Peace, F. C. Sorensen and John E. Christiansen; Recorder, John A.

Andersen; Treasurer, Peter Madsen Sen.; Marshal, Peter Peterson; Assessor and Collector, P. McFarlane.

A Family Feud.

On June 28th a man called Stokes and his son had a disturbance with Dr. Plant and family, at the Big Range, near Kaysville, over the too common neighborly quarrel about land and water. The ladies of the Doc's household interfered to protect him from the violence of the Stokes family and one of the ladies received a severe wound in the fracas. The Dr. immediately went to Kaysville and swore out two complaints against Stokes and son, charging them with assault and battery, the other with disturbance of the peace. Stokes, hearing of this, swore out cross complaints against the Plant family, charging them with the same offenses. The case was called on the 6th, before Mr. Gillies, J. P. of Kaysville, J. P. Barrett, Esq., appearing for the Dr. The case lasted the whole day, and was greatly enlivened by the amusing conduct of Stokes, who seemed to imagine that he was not only a witness, but should conduct the whole legal procedure. From the evidence it appeared that the air must have been blue with blasphemy on the part of Stokes. The Justice dismissed the case against the Plant family, and fined the Stokes' the sum of \$5 and costs, which amounted to a considerable sum.—*Junction*.

The "Twenty-Fourth."—The general and sub-committees on the 24th of July celebration head meeting in the Council House, last evening. Thirty-five out of sixty-three sub-committees appointed reported active preparations going forward for the coming event. The following additions were made to the committees:

On Silk.—Reuben Simpson, Laurinda Robinson, Mrs. Wardoupe.

Silver Greys.—John Lyon and John Lewis.

Minute Men.—Wm. Taylor and J. Q. Knowlton.

On Mineralogy and Mines.—Joseph A. Jennings.

On Nationalities.—A. N. McFarlane, Henry Horsley, Fred. A. Mitchell, Elias Morris.

On Battalion.—Robert Pixton.

The following additional committees were selected:

Carpenters.—Geo. Romney, Henry Grow, Wm. Asper, John Paul and H. J. Foulger.

On Drama.—David McKenzie, H. K. Whitney, H. M. Wells, Phillip Margetts and Delle Cummings.

The sub-committees were urged to get in their final reports before next Saturday, the 10th inst.

The general committee will meet at the same place next Monday evening at 7.30.

The Utah Eastern.—We clip the following article from the *Park City Record*:

"We have often been surprised to see the apathy of the people of Utah on all works of public interest, but in nothing so much as the total lack of public spirit manifested towards the Utah Eastern Railroad. The people of Park City should come forward and take from \$5,000 to \$10,000 of the stock of this meritorious enterprise. If we were to consider for an instant that the monopoly of the coal trade by the Union Pacific Railroad costs this city about \$400 daily, in exorbitant rates, and Salt Lake City \$180,000 per annum, and that this corporation stands to-day to throttle the people's road (the Utah Eastern), we would see it in a new light. Hence we urge every merchant and citizen of this place to come forward and subscribe from their means, great or small, showing at least their willingness to support an institution that, by giving us cheap coal, will double our mining interests and save us yearly \$146,000. These will be under rather than over the figures. Let them crush out this road and we never will again have the chance to procure our coal at low rates. We say let every mine owner and every store keeper sign an agreement to take every pound of coal for 25 years from the Utah Eastern Railroad at \$4 per ton, sooner than pay the Union Pacific \$2.50.

The advice given to the citizens of

Park City is good for consideration by those of our own community. We have no quarrel with the Union Pacific nor with any other corporation, but we certainly do feel to sustain the building of the Utah Eastern and to lend the enterprise every encouragement possible. The prospects are very favorable, so far, and we trust the people of Utah will come forward with a will in this direction, and disabuse the *Record* of the opinion it has formed of them, respecting an apathy toward works of public interest.

Correspondence.

SALT LAKE CITY,
July 7, 1880.

Editors Deseret News:

Since the election of trustees of school districts under our act of February 20th, 1880, sundry legal questions have been propounded to me, which in my judgment can be answered by publication better than in any other way. I therefore respectfully request you to publish the following questions:

First. Can two of the trustees transact business in the absence of the other?

Answer.—Yes, but it is desirable that all should be present. Our law (C. L. 79, Sec. 2 and 560 [1815], Sec. 590), says where joint authority is given to three or more persons, such authority executed by a majority of such persons shall be valid, unless otherwise restricted in the law.

Second. A. was elected a county superintendent of district schools in August, 1879, and qualified as the law provides afterward, but before the August election in 1880, he resigns his office. Can the County Court fill the vacancy, or must another be elected in August, 1880?

Answer.—This depends on a fair construction of our statutes on this subject.

By the act of February 18, 1876 (C. L. 247, 502, Sec. 14) provides that at the general election for 1877, and biennially thereafter, there shall be elected for each county of this Territory a superintendent of district schools whose term of office shall be for two years and until his successor shall be elected and qualified. The act of February 20, 1880 says, 31—2 Sec. 14, provides for an election of Territorial and County superintendents of district schools at the August election in 1881, and biennially thereafter. By section 22 of this act, found on page 35, the Territorial and County superintendents then in office were to continue to discharge the duties of their respective offices till superseded by election under this act. By the act of February 18, 1880, it is provided that in case of a vacancy by resignation of any county officers except Probate Judge, the County Court shall fill such vacancy by appointment. But this act is silent as to the term of office of the person so appointed, and the question is, does he hold office until the election in 1880 or until the election in 1881.

If we examine carefully our acts on the subject of District Schools, we shall find the policy to be to elect Territorial and County superintendents every two years and all at the same election. The vacancy in such a case may fairly be held to be the term between the date of resignation and the time prescribed by law for an election and qualification of the successor. The County Court appointing the successor, say in May, 1880, fills the vacancy till August, 1881.

This is not a matter of very grave importance as a superintendent whether elected in 1880 or appointed by the County Court of the County in May of that year would be an officer defacto and as such his acts would be legal till he was judicially ousted.

In connection with schools I beg to suggest those subordinate officers, such as Trustees, and Superintendents, are far more efficient in carrying out any great design than higher officers such as Legislators, Governors and Judges. I once before said they molded, they shaped and largely controlled the public mind.

Yours Truly,
Z. SNOW.



Always Fresh! Always Ready!

One of the advantages that TARRANT'S SELTZER APERIENT—being a dry white powder—has over many natural mineral waters, is the fact that it never becomes rapid or stale. It is, therefore, the most admirable preparation not only for travelers on land and sea, but for all who need a bright, fresh, sparkling alterative and corrective, and it is always ready. eod & w

NEW YORK TRADE.

BAWO & DOTTER,

30 and 32 Barclay St., N. Y.

IMPORTERS OF

FRENCH CHINA,

MAJOLICA & BOHEMIAN

GLASSWARE.

w6m

GRAEFENBERG

VEGETABLE

PILLS!

Are the Mildest ever known, they cure HEADACHE, BILIOUSNESS, LIVER COMPLAINT and INDIGESTION. No griping or nausea.

These PILLS Tone up the System

And restore health to those suffering from general debility and nervousness. Sold by all Druggists, 25 cents per box.

GRAEFENBERG

"MARSHALLS"

CATHOLICON!

AN INFALLIBLE REMEDY FOR ALL

FEMALE COMPLAINTS.

Price, \$1.50 per Bottle.

The experience of many years among the most cultivated and refined has resulted in stamping this Remarkable Preparation as the only Reliable Remedy for the Distressing Diseases of Women. Sold by Druggists.

GRAEFENBERG

CHILDREN'S

PANACEA.

Sold by Druggists and Co-operative Stores.

IT IS PURELY VEGETABLE

And acts as a tonic, restoring the appetite and assisting nature in throwing off disease.

The Panacea should be used in all cases of Children's Complaints. Let it be the first thing resorted to, and almost instant relief will be experienced. Full Directions on each bottle.

Price, 50 cents per bottle

IMPORTANT NOTICE!

THE GRAEFENBERG

Manual of Health,

It contains 300 pages, handsomely printed on fine paper, and is written in language plainly understood by every one.

READERS AND HEADS OF FAMILIES,

Cut out this notice and send it to the Graefenberg Company, 111 Chambers St., N. Y., together with Twenty-five Cents, and you will receive by return mail, postage paid, a copy of their valuable family medical book.