

veying water, or which may be affected by any operations connected with the construction or maintenance of the same, the said corporation may present to the Judge of the District Court of the judicial district wherein such lands, real estate or claims shall be situated, a petition signed by the mayor, attorney or agent of the same, describing with convenient accuracy and certainty, by maps or otherwise, the lands, real estate or claims so required to be taken or affected, as aforesaid, setting forth the purpose for which said land is required, the name and residence of each owner or other person interested therein as owner, lessee or incumbrancer, as far as known, to such mayor, attorney or agent, or appearing of record upon local or county record, and praying the appointment of three appraisers to ascertain the compensation to be made to such owner and person interested, for the taking or injuriously affecting such land, real estate or claims as aforesaid.

SEC. 3. The said Judge shall have satisfactory evidence that notice of an intended application, and the time and place thereof, for the appointment of appraisers between the said corporation and the owners and the persons interested in such lands, real estate and claims, has been given, at least ten days previously, to such owners, personally or at their residence, or on the premises, or by the publication thereof in a newspaper having general circulation in the district in which such lands, real estate or claims shall be situated, such publication to be allowed only in respect to owners or persons interested, who shall appear by affidavit to have no residence in the county known to such mayor, attorney or agent, which notice shall be published at least 30 days prior to the time fixed for the application aforesaid. The Court may adjourn the proceedings from time to time, shall direct any future notice thereof to be given that may seem proper. Shall have proofs and allegations of all parties interested touching the regularity of the proceedings, and shall, by an entry in its minutes, appoint three disinterested appraisers, as aforesaid, specifying in such entry a time and place for the first meeting of such appraisers.

SEC. 4. The said appraisers, before entering upon the duties of their offices, shall take an oath to faithfully and impartially discharge their duties as said appraisers, and any one of them may administer oaths to witnesses produced before them; they may issue subpoenas, and compel witnesses to attend and testify, and may adjourn and hold meetings for that purpose, and shall give reasonable previous notice to such owners or parties interested. They shall hear the proofs and allegations of the parties, and any two of them, after reviewing the premises, shall, without fear, favor, or partiality, ascertain and certify the compensation proper to be made to said parties or owners interested, for the lands, real estate or claims, to be taken or affected, as well as all damages accruing to the owners or parties interested in consequence of the condemnation of the same, taking, or injuriously affecting as aforesaid, making such deduction or allowances for the real benefits or advantages which such owners, or parties interested, may derive from the construction of such canal, ditch, flume, dam, or reservoir or other means of diverting or conveying water. They, or a majority of them, shall make, subscribe and file in the office of the clerk of the District Court of the district in which such lands, real estate, or claims, shall lie, a certificate of the said ascertainment and assessment, in which such lands, real estate, or claims, shall be described with convenient certainty and accuracy.

SEC. 5. The said Judge, upon such certificate and due proof that such compensation and separate sums, if any, be certified, have been paid to the parties entitled to the same, or have been deposited to the credit of such parties with the Clerk of the Court, or other place for that purpose, approved by the court, shall make and cause to be entered in its minutes, a rule describing such lands, real estate or claims, in manner aforesaid, such ascertainment, of compensation, with mode of making it and each payment or deposit of the compensation as aforesaid, a certified copy of which shall be recorded and indexed in the Recorder's Office of the proper county, in like manner and with like effect as if it were a deed of conveyance from the said owners, and parties interested to the said corporation. Upon the entry of each rule the said corporation

shall have exclusive right, title and possession of all such lands, real estate or claims described in said rule, as required to be taken as aforesaid, and may take possession of, and hold and use the same, for the purpose of such canal, ditch, flume, dam or reservoir or other means of storing, diverting and conveying water, and shall thereupon be discharged from all claims for any damage by reason of any matter specified in such petition, certificate or rule of said district court.

SEC. 6. If at any time after an attempted or actual ascertainment of compensation under this act, or any purchase by or donation to said corporation of lands or claims for purposes aforesaid, it shall appear that the title acquired thereby to all or any part of such lands, for the use of said corporation, or if said assessment shall fail or be deemed defective, the said corporation shall proceed and perfect such title by procuring an assessment of the compensation proper to be made to any person who has title, claim or interest in, or lien upon such lands and by making payment thereof in the manner hereinafter provided, as near as may be, and at any stage of such new proceedings, or of any proceedings under this act, the said judge may, by rule in that behalf made, authorize the said corporation if already in possession; and if not in possession to take possession of and use said premises during the pendency, and until the final conclusion of such proceedings, and may stay all actions and proceedings against such corporations on account thereof: *Provided*, said corporation shall pay a sufficient sum into court, or give approved security to pay the compensation in that behalf when ascertained, and in every case where possession shall be authorized, it shall be lawful for the owners to conduct the proceedings to a conclusion, if the same shall be delayed by the corporation. The said appraisers shall receive five dollars per day, as compensation for each day actually employed, such compensation to be taxed and allowed by the said judge. If any appraiser so appointed shall die, be unable or fail to serve, the court may appoint another in his place, on reasonable notice, or the parties by written agreement may appoint another, to be approved by the said judge.

Approved February 20, 1880.

UTAH TERRITORY,
Secretary's Office. } s.s.

I, Arthur L. Thomas, Secretary of the Territory of Utah, do hereby certify that the foregoing act, entitled "An act to provide for right of way for canals for Salt Lake City," is true and correct as appears by the records on file in my office.

Attest my hand and the Great Seal of the Territory of Utah, this first day of March, A. D., 1880.

[SEAL.] ARTHUR L. THOMAS,
Secretary of Utah Territory.

THE CENSUS OF 1880.

OFFICE OF SUPERVISOR OF CENSUS,
DISTRICT OF UTAH.

SALT LAKE CITY, UTAH,

March 8, 1880.

Sir:—Having been appointed Supervisor of Census for Utah, I would be pleased to have your assistance in arranging the preliminary work, viz:

I.—THE FORMATION OF ENUMERATION DISTRICTS.

My first duty will be to propose to the Superintendent of Census a plan for the subdivision of this district into enumeration districts. By section 11 of the census act enumeration districts cannot embrace to exceed 4,000 inhabitants. In this Territory, however, that limit should be reached only in highly exceptional cases. In general, each town precinct or other permanent civil division of the county, will be constituted an enumeration district if the estimated population thereof exceed 700 or 800 inhabitants. Where possible two or more towns or precincts will be constituted an enumeration district. But care will be taken to make the districts small enough to secure the completion of the census within the limit set by law, viz. 30 days, or during the month of June. The number of persons who can be enumerated within that time will vary greatly, according to the geographical condition of the district and the density or sparseness of settlement. In rich agricultural regions 3,000 persons may safely be embraced in a district. In more sparsely settled regions and where the difficulty of travel is great, districts must include a less number of inhabitants.

It may sometimes be necessary to divide towns, townships and precincts, to secure prompt enumeration. When this is done the division should be by some clearly marked boundary, as a stream or county road. It is not important that districts thus formed be equal, either in extent or population, but it is important that the line of demarcation be clear and unmistakable. Nor is it necessary that every enumerator should be kept employed during the whole period allowed by law for taking the census. The limit set in the census act is an outside one to meet special cases. Where two good enumerators can complete the work in two weeks, it will be preferable to appoint that number rather than have one carrying on the work for 30 days. The chief and primary object of the canvass is to obtain a list of inhabitants, with certain particulars as to sex, age, color, place of birth, occupation, physical condition, etc. The rates of compensation to enumerators will be announced hereafter.

II. APPOINTMENT OF ENUMERATORS.

The following considerations will govern in the selection of enumerators:

The appointment will be non-partisan, and enumerators will be selected solely with reference to their fitness for the work to be done, and without regard to political or party affiliations. The intention of the law in this respect will not, however, be carried out by appointing indiscriminately from the political parties which divide the country. The persons selected should be fair and moderate in their political feelings, thus giving assurance that they will not pervert their trust to partisan purposes, or abuse their opportunities in any way, and that statements made to them by persons of different political affiliations will be received without prejudice and treated as respectfully as if emanating from political associates. The appointments will be made with reference to physical activity, aptness, neatness, accuracy in writing, and in the use of figures. These requirements are not more in the interest of the census than of the enumerator himself. Unless the officer appointed be proficient in clerical exercises he will find his duties very trying and his pay very meagre. Old and broken

men will not be appointed, as it would not be an act of charity, but of cruelty.

The work requires active, energetic men, of good address, and readiness with the pen. As a rule, young men will be preferred for the service, though I am aware of no reasons existing in law, for regarding women as ineligible for appointment as enumerators. In many regions such appointments would be highly objectionable, but there are localities where a canvass could be made by women without disadvantage being encountered by reason of the sex of the enumerator. It must be distinctly understood that persons who accept appointments and qualify as enumerators, cannot, "without justifiable cause," refuse or neglect to perform the duties of the office. Having accepted the position they will be expected to go forward with the work. Failure to do so will not be overlooked.

You will place me under obligations if, immediately on receipt hereof, you will map out, and forward to me, a plan for the subdivision of your county into enumeration districts, keeping in view the requirements herein contained, especially as regards the making of permanent civil division into enumeration districts.

Such other suggestions as you may deem proper to make, especially the recommendation of suitable persons for appointment as enumerators, will receive respectful consideration.

Enumerators must be residents of the districts for which they are appointed.

Very respectfully,
JOHN B. NEIL,
Supervisor.

NOTICE TO CREDITORS.

Estate of JOHN FORBES, deceased.

NOTICE is hereby given by the undersigned, administrator of the estate of John Forbes, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within four months after the first publication of this notice to the said administrator, at his residence in Kayville City, County of Davis, Territory of Utah.

WM. N. NALDER,
Administrator of the estate of John Forbes, deceased.
Dated at Kayville Jan. 19, 1880. w4t

Not the Verdict of One International Board of Jurors only,
But as many such Verdicts as there are Medals here shown, that

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"NOTABLE OR ABSOLUTE PURITY."
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