ies are, as usual, amply and beautifully illustrated with elegant entropy illustrated with elegant entropy in their just and lawful verdict, let gravings. It is a first-class mags are for boy and girls. Published by Scribner & Co., New York. For sale by James Dayer, Sali Lake.

by D. Lethrop, is a charming magnerine for young people, containing than common larceny, and the penalty should be adequate to the penalty sho proce, poetry and pleturer.

fore that which was cut green. What Utah farmer will try it and BY send us an account of the result?

A correspondent of the Prairie Farmer says he has been cured of asthma, after the fallure of all the doctors to releave him, by the use of the following: "Two ounces The latter anticipates a revival of iodide of potassium, dissolved in one quart of water. Take one tablespoonful three times a day. It takes hot water to dissolve it," that he did not wish to injure any When threatened with a return of other road or the Eric Canal, and the disease, one dose generally gives him perfect relief. It is worth

Seribner's Magazine für September has arrived, and is welcome. this deservedly popular monthly would take more space than we have to spare. Suilice it to say, that the left in the Far West, was lately shot, at Elizabethtown, Ky., by a man named Ho'dsworth in a bar-room row. He' will probably recover, but will lose his arm. that the letterpress and engravings are fully up to the general stand-

It is not often that journalists are as outspoken and candid concerning themselves as the Yuba Expositor was, recently, on the publication of only a half sheet. The editor apologized thusly: "We trouble is, that they want an old application for the appearance of this charged, because he has withdrawn appliagies for the appearance of this number of the Expositor. The excitement of the election, accompanied by an over indulgence in mixed whisky, addled our brains and awamped our ideas so that we could not write." The truthful simplicity of this confession is very morning, was won by the latter by the plaintiff and other persons who tare, and perhaps it was merely antiwo lengths. Time 14 431.

morning, was won by the latter by two lengths. Time 14 4th.

Seliew Ferer Case.

New Orleans, 27.—New cases 194, deather 49.

THIS TOOELE CASE.

This morning, his honor Chief Justice Schaeffer, gave his decision in the Tocele mandamus case, in favor of the plaintiff. His written opinion will be found in another column. Whalever faults may be found with Judge Schaeffer, he has one merit which distinguishes him from several of his predecesors. He speaks to the point, so that all who hear him may understand, and he refrains from inflicting upon the point, so that all who hear him may understand, and he refrains from inflicting upon the point, so that all who hear him may understand, and he refrains from inflicting upon the predecesors. He speaks to the point, so that all who hear him may understand, and he refrains from inflicting upon the predecesors. He speaks to the point, so that all who hear him may understand, and he refrains from inflicting upon the predecesors. He speaks to the point, so that all who hear him may understand, and he refrains from inflicting upon the predecesors. He speaks to the point, so that all who hear him may understand, and he refrains from inflicting upon the predecesors. He speaks to the point, so that all who hear him may understand or the point, so that all who hear him may understand or the plaintiff in the days of McKean, Hawley and other new defunct opinion factors.

The plaintiff and other persons who were then open decision feature and coundations of the predecision for the desard depth in and there demanded that he, in connection with other described that the said clerk break the seals and open and returns and canyas the said county court, carefully terming the distribution of which particle with the said defen into the said of the plaintiff and others who were defendant said play in this the said of the play in the said open and the other areas because the said fe McKesn, Hawley and other now

The Judge could have reached no chamber of Commerce for the expressed, after a careful hearing of the case. The points he presents are plain to all critical readers of the election law. The County Cherk is under obligations, in company with one of more of the selectmen, to break the seal of the selectmen, to break the seal of the returns and canvas the same. Neither he nor the County Court are constituted a judicial authorite.

Chamber of Commerce for the select the damage for a writ of cian damus, etc.

And then prays for a writ of cian damus, etc.

An alternative writ was issued, and a rule to show cause, if any, why it should not be made personne to passive the defendants, why it should not be made personne to preformed the duller improve the defendant Rydalchinow answer in substance:

Admitting that the defendants held and still hold the official policy of the returns and canvas the same. Neither he nor the County Court are constituted a judicial authorite.

The Revenue Relative the same are for a writ of cian damus, etc.

And then prays for a writ of cian damus, etc.

An alternative writ was issued, and a rule to show cause, if any, why it should not be made personne to ensure the defendants, why it should not be made personne to preformed the duller improve the defendants. Admitting that the defendants held and still hold the official policy the relies of independent to control the exercise of judicial functions. According to the answer of the defendants, why it should not be made personne to preformed the duller improve the defendants. The defendants held and still hold the official policy the relies of independent to control the exercise of judicial functions. According to the answer of the defendants, they have not performed the duller improve the defendants and a rule to show cause, if any, why it should not be made personne to preform the duller in the same of the defendants, they have assumed to pass upon the relies of the defendants. The defendants is the form of the return of the defendants and a rule to show cause, if any, who are constituted a Judicial authority to pass on the legality of a law, nor on the regularity of the returns

But, as we have heretofore shown, this verallous proceeding, is only part of a consultacy entered into by the "Liberat" officials and others of Tooele County, for the purpose of halding on to affices to them. The peremptory mandamus will now have, and the canvam must be proceeded with, as the bears to take.

London, 67.—A Constantinopis dispatch says: Ten thousand Lazis are approaching Batoum to ask Dervish Pasha what course he intends to take.

County Clerk and contumacious servin's Compiletty in the Beenian or at any other time from the pren might have known in And now comes the necessity

sible to defeat the will of the Peode expressed at the polts. They have proven in past years to what lengths they will go to seize by Fiorida makes a million dollars a tiny, untiring watchfulness and his pontoons scross the Boana, so as to examine or canvass said returns the law in question was regularly year by her lumber trade. All prompt detection of steelery with the stumpage fiends that used to now be required to ensure the tri vices General Essparay repulsed all fied in said affidavil, or at any infest the Territories cought to flee umph that belongs to the victory the attacks but a Renter's discontinuous other time; "But on the contrary,

majority of at least 300, Let arriving from Austria. The lugur-

St. Metangs for September, is the result be declared; truthfull of interest for the young folks fully; and if any attempt is and its excellent stories and artic- made to falsify returns or in any sale by James Dayer, Salt Lake. | great majority of the citizens of their civil rights be prosecuted and Wide Awaks, published at Boston | punished under the criminal law.

termined on by the People; that is, Some C. I fornia farmers say that red in this attempt to defined the 100; 10 40's 105; Erie, 10; lucern should never be cut until it bulk of the citiz na shall be used at is as ripe as bariey. That it will their expense. If the defeated mi grow to a height of eight feet, and nority have any common sense left, that it is much better and fuller of to say nothing of wisdom, they will nutriment if only cut twice a year, proceed with the count without

> TELEGRAPH. PER WASTERN UNION TRANSPORADIO LINE.

EASTERN. Vanderbitt Interviewed,

NEW YORK, 27 .- A Tribune rebusiness in the Fall. He said the

ville, dated 23d, stating that Pathp following his is written opinion: Arnold, made notorious some years ago in connection with salting a amond field in the Far West, was New York Stocks.

Sliver bars, 115 greenbacks, 114

shot and instantly killed. Strike of Ulter Blowers.

WHEELING, West Va, 27 -The

Single Scall Race, Bosrow, 27 .- A single soull race, two miles, for \$250 a side, between that plainter is latermed and be surity, but should not invalidate George Faulkner, of Boston, and literes they contained the returns the election or authorize the reject Daniel L. Sullivan, of Lowell, this from said other precincts. That tion of votes which otherwise ap

ward contributions to the Grand Recorder for the same purposs. The amount received by the Chamber of Commerce for the

The Revenue Salrmish. NABHVILLE W.-An Ame special, from Lebanon, says: The revenue fight in Orton continued of the election until they have been properly convessed, and then only on such as may affect the remainder the election of any candidate.

But as we have heretofores

multipor EIGN. GREAT BRITAIN.

Appreaching Saloum.

and now comes the necessity nian insurrection is a from watchfulness on the part the Paccale's representatives. and will erose it if closely pressed.
It is also stated that prisoners were captured at Dobsj wearing the uniinsurgents about Debaj have been

The Andramy Binistry. Vienna specials mention the pre-Andrawy experiences considerable opposition, he is still supported by the Hubgarlau ministry.

Wreck of the Bark "Jullet."

Consols 91 9 16 @ 11-16; four and

Arrested for Robbery. LIVERPOOL, 27 -Thomas IA Thomas Bigelow alleging that \$2,500 worth or bonds in his possession were bought at Chicago on the 73d June.

THE TOOELE MANDAMUS CASE. PLAISTIPE' DEBURRER PUS. PAISED.

THE ELECTION LAW VALID PEREMPIONY MANDABUS TO

This morning, at ten Judge Schneffer rendered THIRD DISTRICT COURT, Utah Territory

Demurrer to the Answer of Defenda

F. M. LYMAN, ENGCH MARTIN et al.

Enter the letterpress and engravings are fully up to the general stands of this excellent publication, which stands in the front rank of the periodical literature of the times. Social silver coin, I @ I discount, of the periodical literature of the times. Social silver coin, I @ I discount, of the periodical literature of the times. Social silver coin, I @ I discount, of the periodical literature of the times. Social silver coin, I @ I discount, of the periodical literature of the times. Social silver coin, I @ I discount, of the periodical literature of the times. Social silver coin, I @ I discount, of the United states, of law, of the united states, of law

such clerk, had all the said returns and the bailot between the presence of the other defendants, or members of said county court. That said bailot boxes were all securely sealed or locked; that envelopes, secured and safely sealed, containing the lists required by law to be kept, addressed to said derk from the following named precipets, were then and there in the possession of said clerk, to wit: Jacob City, Stockton, Grantsville, Lake View, St. Johns, Vernon and Quincy; and the ballot boxes should be locked and ballot boxes from the other precipets in said county ware then and there in the possession of said clerk, and that plaintell is fafermed and believes they contained the returns from said other precipics. That

were voters or candidates were then

thereof were otherwise safely and securely scaled with municipae or other tenscious substance, or contained in ballet boxes as aforesafd. the tained in ballet boxes as aformald.
the And then prays for a writ of man-

rom the clerks of said precincts, or

achieved by the ballot.

It is well known by both pacing that the pusher and there that leaving out all considerations of fliegal votes cast by the "Liberton of fliegal votes cast by the "Liberton of fliegal votes cast by the "Liberton of the Both and testraved the form Belgfade, dated that General Sasparty has all to the form Belgfade, dated the Toole they, being then and there in a section as a contract that General Sasparty has all to the form Belgfade, dated the foole they, being then and there in a section as a contract that General Sasparty has also returns and fully passed on the bridges. They also returns and fully passed the form Belgfade, dated that General Sasparty has all the contract that General Sasparty has been been as a contract that general same and canyassed the form Belgfade, dated the foole they, being then and there in a section is a second to the foole they, being then and there is a second to the foole they, being then and there is a second to the foole they, being then and there is a second to the foole they, being then and there is a second to the foole they, being then and there is a second to the foole they are the foole they, being then and there is a second to the foole they, being then and there is a second to the foole they being the fool The aniwar then and there com-pleted the carvon thereof."

The aniwar then alleges that an election was held on the 5th day of a ugust, substantially as alleged in

plaintiff's affidavit, but that the pretended faw under which it was held was void having bever been passed by the legislative assembly of Utah, and that, therefore, the sald election was not held and the returns thereof not made in accordance with any law then or be dismissed and that the defendants recover costs. To this answer the plaintiff filed

then and there fully passed on the same, and canvassed the force, effeet and legality thereof; and that the defendants rejected the same se strictly confidential to dealers and illegal and vold. It is not said that to these who will introduce them the defendants examined and can- in new localities." Others: 'I have LIVERPOOL, 27 -Thomas, and ressed the papers purporting to be no taxes, rents, advertising or other bound them to be no expenses to pay." Now, this is all the newly as Americans, were arrestums, and the rejection of them fraud and humbug, which must be rested, yesterday, and remanded is not, in the answer, based upon apparent to you on reflection. The nutriment if only cut twice a year, and will be preferred by stock to that cut when first in bloom. If both kinds are in a stack, animals will choose the old and coarse before that which was cut green.

The accused with the count without only to day, charged with robbing the fact that they were not the respective precinets, as not worth the money asked for the function of the fun turns of the respective precincts, as was argued by defendants attorneys, but the answer seems to be based spon the assumed ground that the law under which the election was beld was void.

Section 18 of the election law in the alection law in the Section 18 of the election law in and barefaced faisifier," etc. etc. controversy provides that, "On re- Read the Laure from June, 1877, to

controversy provides that, "On receipt of the ballot boxes and returns, the clerk, in the presence of atleast one member of the County as a candidate voted for at such election, shall break the seals of the returns, and all candidates may be present as provided in section 15 in this act; and said clerk, and unember or members of the county court shall carefully examine the returns, and if, no irregularity or distribution and if, no irregularity or distribution and if, no irregularity or distribution and if the right ing the result of the election of any pandidate, they shall accept said returns as correct. But if the right irrer in of any person voted for, for any sion on the plaintiff's Combrer in of any person voted for, for any The Sun has a letter from Louis- the Tooris mandamus case. The office, is in any way affected, then the clerk and said members of the from said precinct and canvass the same, so far as to determine this rights of the person whose office may be affected. They may also cause to appear before them any

persons whom they may deem pro-per, and take their testimony in re-

peared to be legal. The statute imposing the duty

why it should not be made peremptory, was served. The defendants bave not performed the duties imposed except the defendant Rydalch now answer in substance:

Admitting that the defendants held and still hold the official positions as alleged by plaintiff. That on the still hold the official position as alleged by plaintiff. That on the still day of August, the defendant, Encart like their still in the peremptory write should not be succeeded and placed before them existed, however, that the demurrer should, by relation back, go to the affidavit of plaintiff, upon the same and affidavit had been received and placed before them exist is songht. Waiting

in said affidarit had been received and placed before titam to be canvassed, said by the pretended has there proceeded to required, then and there proceeded to examine the said returns and then and there fully passed on the same, and canvassed the force, elefect, and legality of said returns; and then adjourned.

The answer then denies that the ballot boxes were locked and securely scaled, for their same boxes containing the lists required by the pretended has hereinafter referred to, to be kept addressed to said clerk were in his possession securely scaled at the day above named lates the rights and obligations of male citizens from that which regulates the rights and obligations of male citizens from that which regulates the rights and obligations of male citizens from that which regulates the rights and obligations of male citizens from that which regulates the rights and obligations of male citizens from that which regulates the rights and obligations of male citizens from that which regulates the rights and obligations of

any other returns securely scaled as tax payers would in most instances this law, in that or in any other re largely reinforced. They have been Deplee that a demand was made spect, is wise, or politic, is not now orously attacked Dobij several times, endeavoring to turn General the returns as alleged in the affida-

BYOSHIOLGIRA

M. SCHAEFFER, Judge.

MAY JANE, daughter of Alex. and Mar-garet Lords, aged 3 posts and 2 days. Millenn'al Star please copy. In Springville, August 23d, 1876, TABI-THA ANN, daughter of Walter and Ries M. Wheeler, aged 6 months and 25 days. Millennial Star please copy.

A PRITER TER

Dear Reader: -Be not deceived offer you planes which they my are worth \$800, for \$300, and dess; and organs worth \$880, for \$1500 and general

Your most obedient cervant DAVID O. CALDER.

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MANAGER. Salt Lake City; Ju'y 15, 1878. £ 157

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