

without counseling with the proper authorities of the Church; he takes upon himself things that he has no right to do, and such a course cannot be acceptable before God and the Priesthood.

Now then, we come to the bishopric. Ought the bishops to be consulted in regard to temporal things? Yes, they ought. And as an example, let me tell you that for the last year Bishop Hunter has associated with the Council of the Twelve whenever they have met to consider temporal matters. And I may say we have been pleased to have his company, because it was his place to understand the position of temporal things that we may know his feelings, and counsel with him and he with us, that everything may be done according to the order and laws of God, that there may be perfect unanimity. With this view he was placed as one of the counselors to the Trustee-in-Trust—because the Trustee-in-Trust thought it belonged to him to hold that position, and think so today. But then, does he preside over the Melchisedec Priesthood? No, he does not. Who and what is he? A high priest ordained and set apart to the bishopric. By whom? The Presidency. Does he control the presidency? No, he is set apart by them; as bishop he is an appendage to the higher priesthood, and does not control it. No man controls it. I remember a remark made on one occasion by Joseph Smith, in speaking with Bishop Partridge, who was then Bishop. He was a splendid good man, as Bishop Hunter is. But he got some crooked ideas into his head; he thought he ought to manage some things irrespective of Joseph, which caused Joseph to speak rather sharply to him. Joseph said, I wish you to understand that I am President of this Church, and I am your president, and I preside over you and all your affairs. Is that correct doctrine? Yes. It was true then and it is true today.

Well, it is necessary that we should have an understanding of these things, that we may make no mistakes in our administration. I want, then, in all our operations to confer with our bishops. And if this institution of ours is "Zion's Co-operative," then it should be under the direction of Zion, under the direction of the Priesthood; and if it is not "Zion's" Co-operative, then it is a living lie. But do we wish to interfere with them? No, we do not. Do we wish to interrupt them in any of their operations? No, we want to help them; we want to unite them and all the people into one, with God at our head, governed by the holy Priesthood. Have they rights? Yes. Do we respect them? Yes. Have the people rights? Yes. Shall the people be respected in their rights? Yes, they shall, all the people in all the States; and while we sustain them they must sustain us; and if they expect to have our support, they must give us theirs.

Having said so much, I will tell you that I believe sincerely that the men managing our Co-operative Institution are doing just as well as they know how. And I will state further, that I don't know of any persons in this community who know how better than they do. And I have been now for some time associated with them, and am acquainted with their proceedings.

There are other principles besides this; we want to learn to manufacture our own goods. And while on the one hand we use the best talent and financial ability we can get to attend to our mercantile institutions; on the other hand, we need to cherish a spirit to encourage home manufactures of every kind, and we want to get this institution to help us do it. If we manufacture cloths and boots and shoes or anything else, we want the institutions to dispose of our goods. If we need encouragement in regard to the introduction of any manufactures of any kind, we want them to help us, and we have a right to expect this of them so far as is wise, prudent and legitimate. I will state that the directors of Z. C. M. I. feel interested in the very things that I am talking about, and I say it to their credit, and for your satisfaction. I do not think there is an institution in the United States in a better condition than that is today; and it is improving all the time, not after any fictitious manner, but on a solid, firm, reliable basis. Now then, I have proposed to these brethren, which they quite coincide with, that when they shall be able to pay a certain amount as dividends on the means invested, after reserving a sufficient amount to preserve the institution intact against any sudden emergency that may arise, which is proper among

all wise and intelligent men, that then the profits of the institution outside of this, should be appropriated for the development of the home manufactures, the making of machinery, the introduction of self-sustaining principles and the building up of the Territory generally, and they acquiesced in this feeling; and I say it to their honor and credit. And I will tell you again that the Church has got a large interest in that Institution, consequently we wish to see every thing go aright, not on any wild erratic principle, but on a solid, firm, reliable basis, that can be carried out and that will elicit the admiration and confidence of all good and honorable men.

Sometimes little difficulties have arisen outside through interested individuals who have resorted to a good deal of trickery; other times perhaps from just causes. And I will say too that complaints have been made that we have not sufficiently sustained our home manufactures. I will say however that the Institution has stood in a very delicate position. We have been struggling with this financial crisis that has cast a gloom over all this nation for the last number of years—since 1873. But we are now getting into a solid firm position, and when we declared three per cent. for the six months' dividend, it was because the Institution was able to do so. And when we are able to extend this a little farther we will be quite willing to do so.

Some of the complaints that have been made against the institution we have heard; and we have thought best to have a board and refer to that board any complaints that might be made from any part of the Territory. This board that has been temporarily organized has given us these various reports which have been read in your hearing, which indicate their views and feelings in regard to these things. We wish a board of that kind to be organized upon a correct basis according to the order of this Church and Kingdom of God; and then as the people throughout the Territory send to purchase their goods from them, let the people that make these purchases be represented; and if there is anything not straight in their operations, let them be made straight. And this is what this committee is for, that the people may be protected as well as the Institution.

Then Stake organizations are recommended, with a representative from each Stake at the general or central board, and it will make it much more pleasant for the management of that Institution to have a criticism of that kind. And it will also tend to allay many of these foolish things which are frequently put in circulation in different parts of the Territory. The object, then, of this Board is that the people may be represented, and that Zion's Co-operative may also be properly represented, that it may serve as a balance wheel to adjust and correct any matters of difficulty that may arise.

I am happy to say that in many parts of the Territory they are introducing the manufacture of leather and boots and shoes and a variety of other articles. And suffice it to say that, according to these reports, the Parent Institution has sustained the manufacturers of these home-made articles quite liberally; and we want it to be in that position that everything we use can be bought there. This is, too, the feeling in relation to this matter. And when we get things into a proper fix we will pull with a long pull and a strong pull and a pull all together. We will strive to be one; and if we cannot go so far as to sustain co-operation in regard to these things, how in the name of common sense are we ever going into the United Order? But we will begin with this, and then co-operate in all the different States, not only in your merchandising, but in your manufacturing affairs and in your producing affairs; and in every thing it will be the duty of this general Board of Trade to regulate the interests of the whole community, honestly and faithfully, at least we will do it according to the best ability we have; and if there should be any mistakes arise, we will try to correct them; if they are on the part of the people, we will talk to them about it, if on the part of the institution, we will talk to its management about it. And we will keep working and operating until we succeed in introducing and establishing these things that God has desired, and until Zion shall be a united people and the glory of all the earth.

God bless you and lead you in the path of life, in the name of Jesus. Amen.

## AN ACT PERTAINING TO HIGHWAYS.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That, all roads shall be considered as public highways which are now used as such and have been declared such by order of the County Courts or which may be hereafter so declared by the County Courts within their respective counties, or by municipal corporations.

SEC. 2. Highways are roads, streets, or alleys and bridges, laid out or erected by the public, or if laid out or erected by others dedicated or abandoned to the use of the public.

SEC. 3. Roads laid out and recorded as highways by order of the County Court, and all roads used as such for a period of five years are highways. Whenever any corporation owning a toll bridge, or a turnpike, plank or common wagon road is dissolved or discontinued, or has expired by limitation, the bridge or road becomes a highway.

SEC. 4. A road not worked or used for the period of five years ceases to be a highway for any purpose whatever.

SEC. 5. The Clerk of the County Court must keep a book in which must be recorded all proceedings of the Court relative to each road district, including orders for laying out, altering, and opening roads; and a description of each road district, its supervisors, its roads, highways, contracts, and all other matters pertaining thereto.

SEC. 6. By taking or accepting land for a highway, the public acquire only the right of way and incidents necessary to enjoying and maintaining it. A transfer of land bounded by a highway, passes the title of the person whose estate is transferred to the soil in front to the centre of the highway.

SEC. 7. Any owner or occupant of land may construct a sidewalk on the highway along the line of his land, subject, however, to the authority conferred by law on the County Court, and the supervisors of highways; and any person using such sidewalk with horse or team without permission of the owner is liable to such owner or occupant for all damage suffered thereby.

SEC. 8. Any owner or occupant of land adjoining a highway not less than four rods, wide may plant trees on the sides of such highway contiguous to his land. They must be set at a distance of at least fifteen feet from each other in regular rows, and not more than ten feet from the boundary of the highway. If the highway is six rods wide or more, the row must not be less than ten, nor more than twelve feet from the boundary of the highway. Whoever injures any of said trees is liable to the owner for the damage which is thereby sustained.

SEC. 9. Every gas, water, telegraph or railroad corporation has the right of way through the public ways and squares in any city, village, or town, with the consent of the authorities thereof, and under such reasonable regulations as said authorities and the law prescribe. The County Courts of the several counties have power to grant a right of way over the public highways, for railroads, canals, water pipes and telegraph lines, under such reasonable regulations as such Court may establish. Such portions of all county roads as lie within the limits of any incorporated town or city, or in any town or city hereafter incorporated shall conform to the direction and grade and be subject to all the regulations of other streets in such town or city.

SEC. 10. The County Court of each of the counties of this Territory by proper regulations have power: First. To divide, where not already done, the county into a suitable and convenient number of road districts and appoint supervisors therefor biennially, or whenever vacancies occur, and to remove them at pleasure. Second. To cause to be surveyed, viewed, laid out, recorded, opened and worked, such highways as are necessary for public convenience. Third. To cause to be recorded as highways such roads as have become such by usage or abandonment to the public. Fourth. To abolish or abandon such as are unnecessary. Fifth. To contract, agree for, purchase or otherwise acquire the right of way over private property for the use of public highways; and for that purpose institute, or require the county prosecuting attorney to institute proceedings for the acquisition of said right of way as provided in Title XI, Chapter II of the Compiled Laws of Utah. Sixth. To cause to be erected and maintained

on such highways as they may designate, milestones or posts and guide posts properly inscribed.

SEC. 11. The County Courts shall designate the county roads necessary within or extending through each incorporated town or city; which in no case shall be more than three in the same direction.

SEC. 12. Supervisors of road districts receive notice of their appointment from the Clerk of the County Court, and within twenty days thereafter must give the official bond required by the County Court, and take the usual oath of office. The notice and certificate that the bond has been filed, and the oath taken and endorsed thereon, or a certified copy thereof, constitutes a commission, and authorizes the person named in and holding the same; to discharge the duties of supervisor until superseded.

SEC. 13. Road supervisors under the direction and supervision and pursuant to orders of the County Court appointing them, must: First. Take charge of the public highways within their respective districts. Second. Keep them clear from obstructions and in good repair. Third. Cause banks to be graded, bridges and causeways to be made where necessary, and keep the same in good repair, and renew them when necessary. Fourth. Shall give not less than two days' notice to the inhabitants of his road district liable to do work on roads, when, where, with what implements, and under whose direction to work. Fifth. Collect from each inhabitant notified to work, and who fails to work, or prefers to pay it. Sixth: to receive such compensation as may be allowed by the County Court for services performed.

SEC. 14. That two days' work of eight hours each, or in lieu thereof, three dollars (\$3) lawful money, is an annual road poll tax upon every able-bodied man over twenty-one, and under sixty years old. Within incorporated cities said poll tax may be collected under such regulations as may be by ordinance provided, and one-fourth of the said tax so collected by cities shall on or before the first Monday in January, April, July and October of each year be paid into the County treasury, to be expended under the direction of the County Court in making and improving highways, and the other three-fourths shall be used by said cities for improving, first, territorial and county roads running through such cities, and second, on any other streets or allies in such cities.

SEC. 15. All means other than labor collected as poll tax by the respective road supervisors, shall be paid by them into the county treasury, to be appropriated and expended on the principal roads and bridges under the direction of the County Court.

SEC. 16. The County Court shall furnish each road supervisor with a blank receipt book with stubs, on which shall be stated by the supervisor whether said poll tax was paid in cash or labor, and the receipt be given to the party as evidence that he has paid his poll tax, and said book and stubs shall be returned to the County Court, with his annual report together with the treasurer's receipts.

SEC. 17. Every supervisor must make to the County Court annually, on or before the first Monday in December of each year, a written report containing: First, The names of all persons assessed to work in his district. Second, The names of all who have actually worked, and the number of days. Third, The names of all who have commuted, and the amount received from them. Fourth, The names of all delinquents and the amount due. Fifth, The amount of labor expended at each point and the kind of labor performed. Sixth, An accurate account of every day he himself was employed, and the nature and items of the service rendered. The County Courts may require special reports from road supervisors when deemed proper.

SEC. 18. A failure to make a report as required, for to pay over, on the order of the County Court, any moneys in his hands, subjects the supervisor to the penalty of twenty-five dollars (\$25), to be recovered in any action on his bond together with any balance due from him; suit, therefore may be instituted by the county attorney under order of the County Court.

SEC. 19. Whoever wilfully or carelessly obstructs or injures any highway by flow of water or otherwise, is liable to a penalty of five dollars for each day such obstruction or injury remains. Any person or water-master permitting water under their control to flood any highway to the

injury thereof, shall be liable to the city or county, as the case may be, for the damage; and to a fine in any sum not exceeding twenty-five dollars (\$25).

SEC. 20. Whoever removes or injures any mile board, or milestone, or guide post, or any inscription on such, erected on any highway, is liable to a penalty of ten dollars (\$10) for every such offence.

SEC. 21. Any person or persons who drive loose herds of horses, cattle, sheep, goats or swine over the highways where they pass on dugways shall be liable for all damage done to such highways by caving of the banks or rolling loose rocks into the same.

SEC. 22. The road supervisors may put up on bridges under their charge notices that there is "five dollars (\$5) fine for riding or driving on this bridge faster than a walk." Whoever thereafter rides on drives faster than a walk on such bridge is liable to a penalty of five dollars (\$5) for each offence.

SEC. 23. Whoever digs up, cuts down, or otherwise injures or wilfully destroys any shade or ornamental tree planted and standing on any highway, is liable to a fine of twenty-five dollars (\$25) for each such tree.

SEC. 24. All penalties or forfeitures under this act, and not otherwise provided for, must be recovered by the road supervisors of the respective road districts and be applied on the highways in which they are collected.

SEC. 25. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Approved February 20, 1880.

UTAH TERRITORY,  
Secretary's Office, } ss.

I, Arthur L. Thomas, Secretary of the Territory of Utah, do hereby certify that the above act, entitled "An Act Pertaining to Highways," is a true and correct copy as appears by the records on file in my office.

Attest: My hand and seal at Salt Lake City, this 21st day of February, A.D. 1880.

[SEAL.] ARTHUR L. THOMAS,  
Sec'y of Utah Ter.

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## 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 Kaysville City, County of Davis, Territory of Utah.

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

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