

officers of the Twenty-fourth Infantry at the executive office in the joint building at three o'clock Thursday afternoon.

General Penrose and Lieutenants Lassiter, Woodward and Castle of the Sixteenth Infantry were there.

Of the Twenty-fourth Infantry there were present:

Colonel J. F. Kent.

Lieutenant-Colonel E. H. Liscom.

Surgeon Major Girard.

Captains W. H. W. James, J. J. Brereton, C. Dodge Jr., A. A. Angus.

First Lieutenants H. C. Keene Jr.,

C. E. Teyman, A. A. Cabaniss, A. M. Palmer and B. W. Leavall.

Second Lieutenants A. Laws, H. B. Nelson, J. N. Augustin, Jr., I. C. Jenks, J. R. Seyburn, W. P. Jackson,

J. D. Letch and G. H. McMaster.

Of the Utah National Guard there were present:

Adjutant General John Q. Cannon.

Brigadier General Willard Young.

Colonel E. W. Tatlock.

Colonel George H. Penrose.

Colonel T. S. Stevens.

Colonel C. S. Burton.

Lieut. Colonel N. W. Clayton.

Lieut. Colonel H. J. Newman.

Colonel Page.

Lieutenant-Colonel Jos. E. Caine, Lieutenant Colonel Ray C. Naylor, Major E. A. Smith, Major O. R. Grow, Major F. A. Grant, Major Geo. F. Downey, Captains Gibbs, Lund, Webb, Alford, Richards.

PLEASANT GROVE, Nov. 3, 1896—

The funeral services over the remains of Patriarch John Brown were held in the First ward meeting house today, the house being packed with those who had learned to love Brother Brown for his many noble acts in life.

On the stand were, of the quorum of the Twelve, Elders F. M. Lyman and George Teasdale, the State presidency and members of the High Council, Bishops of the three wards and other visiting brethren. The singing of appropriate pieces by the choir which had been selected was rendered in a most praiseworthy manner. Remarks were made by Brother Reed Smoot of the State presidency, Bishop Thorne of the First ward,

followed by Elders Lyman and Teasdale all of whom spoke of the life and labors of Brother Brown in terms most gratifying to those who listened. The pall bearers were the presidents of the 44th quorum of Seventy. The remains were followed to their last resting place by a large procession and the dedicatory prayer at the grave was offered by Elder Lyman.

A feeling of thankfulness seemed to be manifest by the people that they had been acquainted with this noble and good man.

In the evening Elder Lyman spoke to the Saints in the First ward and Elder Teasdale spoke in the second ward. Their visit was much appreciated by the Saints.

I. T. T.

In view of the recent gas and light troubles it will be interesting to know that the American Gas and Fuel company has filed suit in the Third District court against the Salt Lake and Ogden Gas and Electric Light company to recover \$31,125 on a contract.

In the complaint it is alleged that on February 11, 1896, the plaintiff and defendant entered into a contract by which it was stipulated that the plain-

tiff, for a consideration of \$15,000, would deliver to the defendant all the natural gas that the gas well near Lake Shore, in Davis county, and all other wells which might be sunk by the plaintiff would produce within the next ten years for the sum and price of 35 per cent of the gross receipts for which the natural gas may from time to time be sold to the consumers. Fifty cents per 1,000 feet was the selling price of the gas and the plaintiff alleges it furnished 85,000 feet of gas and that 35 per cent of the price of the same amounts to \$6,125, for which sum judgment is prayed.

For a second cause of action it is alleged that the defendant company built a very defective pipe line from Salt Lake City to the gas wells and on account of said pipe line being of such character 50,000,000 feet of gas supplied by the plaintiff, escaped and was lost, to the plaintiff's damage in the sum of \$25,000 for which judgment is prayed.

The silent Reaper cast his sable mantle over the home of Sister Josephine Branting Friday morning, through the death of her sweet and amiable daughter, Lena, which occurred at 8:15 o'clock, after a brief illness of the lady, the cause being neurasthenia. A wide circle of loving friends deeply mourn the departure of Sister Lena Branting and earnestly trust that the peaceful consoling influence of the Spirit of the Lord will comfort her bereaved mother and brother.

The funeral services over the remains of Miss Lena Branting were held in the Second ward meeting house on Sunday at 12 m.; long before the time set the house was filled with sorrowing friends. A great many were unable to gain admittance. The stand had been neatly decorated by the members of the Y. L. M. I. A., of which the deceased was a faithful member. The singing was by a male quartet—Thos. S. Asworth, John Robinson, Herbert A. White and Peter Marker; a quartet of male and female members of the choir also rendered some selections very nicely.

Elders Willard Dore, Jos. H. Felt, Heber C. Iverson and Joseph E. Taylor addressed the congregation and spoke of the many good qualities of the departed and offered words of comfort and consolation to the bereaved family. Miss Branting was a faithful member of the Y. L. M. I. association, also a member of the ward choir and was beloved by all. A large concourse of people followed the remains to the grave. After singing Counselor Paul Olsen offered the dedicatory prayer.

Some time ago, in an action between the North Point Consolidated Irrigation company, plaintiff, and the Utah and Salt Lake Canal company, defendants, pending in the Third district court, the plaintiff moved for a temporary injunction, which motion was granted. From the ruling an appeal was taken to the State Supreme court by Richards & Richards, attorneys for defendants.

On the hearing in the latter court, the attorneys for the plaintiff objected to the jurisdiction of the court on the ground that appeals from a district to the State Supreme court could be taken only from final judgments as the State constitution did not authorize such appeals. The objection was sustained and the appeal dismissed.

The latter ruling occasioned considerable comment among members of the bar, and some of the more prominent of them, when they learned that Messrs. Richards and Richards were preparing a brief in support of a petition for a re-hearing, asked to be allowed to join, which request was readily granted; hence a remarkably strong array of legal talent in support of the petition when it was presented in the Supreme court Saturday, as shown in the following signatures:

Franklin S. Richards,
Dickson, Ellis & Ellis,
Williams, Van Cott & Sutherland,
Marshall & Royle,
Powers, Samp & Lippman,
Rawlins & Critchlow,
Brown, Henderson & King,
C. S. Varian,
W. C. Hall,
Chas. C. Dey,
Frank Pierce.

A somewhat remarkable condition of things exists in Ogden, in relation to educational matters, judging by the following communication; and if the defects in the school law indicated by it actually exist, the subject should be taken into consideration by the code commission with a view to a remedy at the coming session of the Legislature:

OGDEN, Utah, Nov. 12, 1896.

Hon. John R. Park, State Superintendent of Public Instruction, Salt Lake City, Utah:

Dear Sir—Understanding that it is your duty, when requested by school officers or boards of education to "give them written answers to questions concerning the school law," we beg to inform you that our body is confronted with a condition of things which requires immediate attention and prompt action, if any action can be taken which will be legal.

In section 117 of our present school law is the following provision: "On the first Wednesday in December, 1896, and biennially thereafter, there shall be elected one member of said board from each municipal ward of cities of the second class, who shall qualify on or before, and take their seats at the first regular meeting of the board in January thereafter.

Your early answer to the following questions is respectfully solicited:

1. Ogden City, being a city of the second class, by what authority shall said election for the first Wednesday in December be called?

2. By whom shall said election be called?

3. What notice of said election shall be given?

4. By whom, if at all, can the necessary judges of election to conduct said election be appointed?

5. How and by whom shall the votes be counted and the returns thereof made?

6. Who will issue the requisite certificates of election to the successful candidates?

7. If there are no provisions in our statute law governing the matters involved in questions one to six, inclusive, can an election be legally held on the first Wednesday in December, 1896, for members of the board of education of Ogden City?

Yours very respectfully,

THE BOARD OF EDUCATION OF OGDEN CITY,

By T. E. DEX, President,

G. H. MATSON,

Clerk of the Board.