So much has been said in eur columns in relation to the advantages of having ments upon the subject. It is very expenses of arresting and boarding apparent, however, that we need one prisoners, serving notices on Jurors, in this county. If it is the intention of &c., &c. As this is the first time in the people to take steps to bring about the history of the Territory that a unprovement in their horses and Territorial fastds to disburse in payment another year's time and improvement in part, I can be justified in acceding will be lost. Now is the time to take the necessary steps for the formation of such a herd, in order to obtain the full benefit and profit of the care and expense which will be required to carry the business into effect. If stock be left on the range much longer, no idea of the quality of the next crop of calves and colts can be formed, and there is every reason to conclude that such a and Legislative Assembly of the Terricrop will be very inferior in every way tory of Utah, that a Marshal shall be

THE EVENING NEWS.

GEORGE Q. CANEDA.

ROTOR AND PUBLISHER.

February, 34, 1971.

to one produced under the management of a co-operative herd.

At a special meeting of the officers and committees of the Parent Society for the Improvement and Cultivation of Stock, etc., on Wednesdaysvening, Bro. R. V. Morris was instructed to open books, under the direction of the Freatdent and Vice-President of the Society, to receive subscriptions of Stock for the Co-operative Herd. He will enter upon these duties immediately, and it is hoped that our citizans will manifest an active interest in this subject, and come forward and subscribe. When the necessary amount is subscribed to justify further steps, then a meeting will be called of those who have subscribed, a committee will be selected to draft a Constitution and By-laws, a President, Board of Directors and other officers will be elected and everything ber 9, 1850, Section 8, it is declared "and necessary be done to put the business to person holding a commission or apinto immediate operation. Shares will be 525 each. When horses or cattle the Legislative Assembly or shall hold are subscribed, and they are brought day office under the Government of said Territory." If a United States officer forward to be delivered to the company, a cash valuation will be scribers themselves. Thus the whole herd will be organized upon a cash basis, and all animals placed in the herd will be branded with the company's brand. When stock is drawn from the hard, it will be drawn out similarly-at a valuation. The President, Superintendent and other officers will be voted for by the men who place their means in the Herd, so that it will be to the interest of all to have responsible, faithful and judicious man placed in charge. Each stockholder will have as many votes upon all questions as he has shares organization of this herd. Our ranges should be cleared of all loose stock for two reasons; first, to check the depre-two reasons; first, to check the depredations of thieves; and, second, to keep draw for expenses of Courts, under the will not lose flesh every day they are driven out. THERE has been a rumor floating around the City for a short time back, effect that the Department at Washing-ton is not disposed to look favorably upon the bills of expenses which have point the people, I appent to your bonor, and solicit your legal opinion on the sub-jects named herein for my future guid-ion and protection, and trust that you the City for a short time back, to the holding Courts here. The attempts will favor me at as early a day as possiwhich have been lately made to rule our bir. Very Respectfully, Yours, Territorial Courts and officers out of existence, are well known to our citizens. The authors of these attempts thought the plan a splendid one, and well-calculated to fix the "Mormons." So proud was one of the chief actors of his course in the matter, that he is said to have written a letter to President Grant, informing him that he had found it necessary to render a decision by which the "Mormon Afterney - General," was "Mormon Afterney - General," was turned out of court, and all criminal presecutions were thrown into the hands nesses' fees, expenses of arresting and of the U.S. Attorney. Not content with writing such a letter, if he did write it, he had to get one of his blowers and that the U.S. Marshal has asked for strikers to publish that he had done so Territorial funds to disburse in payment in a correspondence to an Eastern paper, afraid, probably, that the fact that he corresponed with so eminent a man as President Grant should not come to light any other way! All the glory there is to



AUDITOR OF PUBLIC ACCOUNTS AND THE ATTORNEY GENERAL.

Hon. Z. Snow, Attorney General for U. T.-Dear Sir: M. T. Patrick, Esg., U. 8. ments upon the subject. It is very areas of the District Court By the Act of Congress of the an improvement in their horses and cattle, this is an opportune time to begin. They should be immediately gathered up from the range, and taken care of in a co-operative herd, or another year's time and improvement in part. I can be justified in acceding to the later of the Territory, among to Marshal Patrick's request under any circumstances by issuing warrants on trict Courts shall have and exercise the the Territorial Treasury as above con-templated. As you are the legal adviser under the Constitution and laws of the of Territorial officers, I have concluded to lay the matter before you and solicit your legal opinion on the subject before

proceeding any farther. In the first place, "an act in relation to Marshals and Attorneys," approved March 3, 1852, section 1, reads as follows: -"Belt enacted by the Governor

elected by a joint vote of both houses of the Legislative Assembly, whose term of office shall be one year, inless sooner removed by the Legislative Assembly, of until his subcessor is elected and qualifled. Said Marshal shall, before enter-ing upon the duties of his office, take is to be approved by the Secretary of any surety whatever to the Territory the Territory and flied in his office. And in "An act prescribing the term of certain officers and designating where their bonds shall be filed," approved January 19, 1866, it is declared: "and shall give bonds with approved security. to the acceptance of the Auditor of Publie Accounts, which bonds shall be filed in his office. There are no bonds given by U.

Marshal Patrick on file in this office. In the second place in the Organic Act, "or an Act to establish a Territorial governernment for Utah," approved Septempointment under the United States, excannot "hold any office under the government of said 'Territory," by what placed upon them by a committee of legal anthority could I approve and file of the Territory, I could not anticle voted into this position by the subofficer; but I will examine and see. could not approve and file his bonds under the provisions of existing laws and the "Organic Act," how could I legally expenses of courts, when he is under no esponsibility or obligation to the people of the Territory for the disbursment of those funds, or for "the faithful discharge of his duties"? There is a further difficulty in the way of my issuing Auditor's Warrants on the Treasury to pay expenses of Courts on Marshal Patrick's requisition, which is this: In the Territorial Appropriation Bill, approved February 18, 1870, the section setting apart funds for the paymant of expenses of courts reads as follows: "A contingent fund to The Act of Jan. 19th, 1866, by you referred to-See Utah Laws, p. 227, Sec. be drawn by J.D.T. McAllister, Territor-.- requires the Territorial Marshal to There is a growing necessity for the ial Marshal, on vouchers to be approved file his bond at your office and to your the feed in the neighborhood of the city said Appropriation Bill, and as it is in all cases arising under the laws of therein declared that the said fund or so the Territory, and such other duties as the Supreme Court or District Courts much thereof as may be necessary is "to the Executive may direct, or may be that those who do not have fenced pas-tures can place their animals in a herd and have grounds to believe that they any discretion is left the Auditor in the any discretion for premises, but that the funds, if drawn at all, must be drawn by J. D. T. Mcance with past usage, and was intended by the Legistative Assembly to be drawn and expended by the Territorial Marshal, he being an officer amenable to the Territorial Government, but even he Allister, Territorial Marshal, on vouchers to be approved by the Auditor of Public Accounts.' Being very desirous that no act of mine shall expose me to the merited vouchers approved at your office. applies to yourself.

has now the opportunity of doing what Marshal is made the disbursing officer. at the suggestion of Nye, that it was

same, having been examined and certi-fied by the Court, or one of the judges of it in which the services shall have

been rendered, shall be passed in the usual manner at and the amount there-

By the Act of Congress, approved Feb. 26th, 1853, relating to fees of of-fiders see Statutes at Large, Vol. 30, page 158, sec. 3-it is made the duty of the Marshal, among other U. S. officers, to report semi-annually to the Secretary

which are a Supreme Court and District Courts, says: "Each of the said Dis-United States as is yested in the Circuit and District Courts of theUnited States.' And by Sec. 10 of the same Act, found

in Utah Statutes p 27., it is enacted that there shall be a Marahal appointed who shall execute all processes issuing last year. from the said Courts when exercisis from the said Courts when exercising their jurisdiction as circuit and district courts of the United States he shall perform the same dutles, be subject to the same regulations and penalties, and be entitled to the same fees, as the Marshal of the District Court for the present Territory of Oregon. From the foregoing provisions of the United States laws, which contain all that have any bearing on the questions aubmitted to me by you that I have

Sweeney's Hotel. an each of office, and file bonds with securities in the penal sum of not ex-ceeding twenty thousand dollars, con-ditioned for the faithful discharge of his duties, which bond, with securities, for the faithful disbursement of an paid in municipal taxes. funds with which he may be intruste by you. When a law of the United States has provided the manner of the qualifying of the Marshal, and the giving of bonds with the piace of record ing and preserving them, and preseribing his duties as they have done as these provisions show, it is equal to saying that these are all, that more shall

not be required and that less will not do. He is amenable to the power that appointed him and must account to the officers which their laws direct and none others. I do not intend by this to be understood that he may not be and cannot be made civilly liable for official delinquency to Individuals.

With the provisions of the S.b sec. The car took fire from the stove, at of the Organic Act, which says that no either end; but the flames were extingperson holding commission or appoint-ment under the United States, shall done done. hold any office under the government, making the United States Marshalits Wished him to read-Approved-Arriv

(SPECIAL TO THE DESERT NEWS.)

By Telegraph.

CRO

BRANCH

Marchal is made the disbursing officer. It is therein provided, after stating what expenses thall be paid and included in the Marshal's account in which the ex-penses of the Territorial Courts when expenses of the Territorial Courts when a quorum. HOUSE,

HOUSE.

After several hours being spent in of fering and debating amendments, proposing appropriations to various rivers and harbors not included in the bfil, Sawyer, in order to stop further debate or propositions, moved to suspend the rules and pass the bill, which was

agreed to by a vote of yeas, 149; nays 39. Dawes moved to have the evening session for the consideration of the Sunday civil service bill. The motion was rejected, and the House adjourned.

NEW YORK.

Bridge for the Hudson-Filkins' Case-Decrease in German immigration Suit against a bank-Another Railroad

The Fenian General Halpine arrived

to-night by the declaration of Lord POUGHKEEPSIE, 23.-Surveys were made at this point to-day, with a view to erecting a bridge across the Hudson. tent that it would be necessary to ap-In Filkin's case, four more jurors point a secret committee to ascertain were secured to-day, making five in all, out of the seventy-two called. NEW YORK - The German immigrathe causes. The Tories are exuitant

over this evidence of the failure in the Irish policy of the government. tion to this port has fallen off thirty England is negotiating for the pur thousand, compared with the figures o

being watched.

low at a later day.

Hayti on the 17th and 19th.

PRUSSIA.

When the Emperor will return.

tette says the Emperor William will re-

aries of peace are settled, and that Bis-

CREAT BRITAIN.

a purchase.

marck, Moltke and Von Roon will fol-

gold coast of Africa, for twenty thou-The members of the jointhigh com- gold coast of Africa, mission left for Washington this morn- sand pounds sterling.

FRANCE.

of 14.

Assistant United States District Attorney Emerson has begun a suit known as to the conditions of peace. A against the Ocean National Bank, of financial journal says it is materially this city, to recover \$10,000, the penalties for not making full returns of divifrance, or half the amount. dends, it being alleged that this bank, in

to-day.

ceived from Thiers.

home.

ing the Germans of the responsibility

Special Motices. expected at St. Thomas immediately. A proclamation has appeared in St. Thomas from Capitillo, calling on all true Dominicans to drive Basz from the The Dominicans to drive Baez from the country, and to preserve the Dominica. It speaks of the country as being sold like a piece of merchandise. HAVANA, 23. — The Spanish war steamer Jacket Could the Spanish war HAVANA, 23. - The Spanish war steamer Isabet Catholica, from Port Au for Utah. That card is worthy the perusal of all who have means sufficient and desire to Prince, arrived at San Diego de Cuba, purchase an organ. Of the quality of organs of to-day, and reports that the Hornet is the Mason and Hamlin manfuscture, there is no need to say much: they speak for themselves, Shocks of earthquake were felt a and have been pronounced superior to all

others by the best professors of the instrument in this country and in Europe. And if that is not enough there is, in addition, the testimony BEBLIN, 23 .- The Prussian Gross Ga- in their favor. of Professors Careless, Pratt and Ridges, of this city, and they are all as competurn to Berlin as soon as the prelimin- tent to judge as any men who can be found anywhere else. Another i em in their favor is the easy terms on which the Agents in Utah

offer them to the people-a moderate amount down and the remainder in weekly instal-ments; this is enough to satisfy Utah purchaters, or anybody else.

To spend money in an organ, either for the Disaffection in Ireland-Negotiating for meeting-house or the comestic circle, is a firstrate investment; for in the former they are a Hamlin Organ Co's General Agents for LONDON .- Parliament was startled great s ddition in singing songs of praise; and Utah, we beg to say that we are prepared . in the latter they have a wonderful influence Huntington that disaffection in Ire- in the latter they have a wonderful influence land existed to such an alarming ex- in promoting morality, good order and a love of home-a thing of paramount importance in 6811 471 families.

Oil and Lead.-E. W. Blatchford & Co., pro prietors of the Chicago Lead and Oil Works manufacture and furnish to dealers and jobbers' chase of a Dutch settlement on the on reasonable terms, Lead Pipe, Sheet Lead' Bar and Pig Load, and parfectly pure Raw and Boiled Linseed Oil and improved kinds of Shot. Send them your orders for these articles and find out. Look at their advertisement. d-81-J



A FEW WORDS TO THE PUBLIC BRTAIN Agents of Organ Makers visiting C this city have been representing that the instruments are fully as good as the Mason & Hamlin Organ Co's make. Being Mason 4 prove, beyond all possibility of a doubt that their instruments are superior in every respect to these of any other make. The Company's sales are over two hundred per week, being nearly double that of apy other Organ Factory in the World. Where the

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M OFF her Choice Stock of SELLING

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they have been exhibited, they have uniform won the highest awards at Industrial Fall including the Medal at the Paris Expos tion. On application, we will furnish the testi-

of nearly one thousand musicians, including the most prominent Organists, Planists, Com posers, Musical Conductors, Directors of Open etc., in America and Europe, who declare the they are superior to all others.

Esq., builder of the Salt Lake Great Ogan; Pa fessors George Careless, John Tullidge and Pratt. jr.; C. J. Sundback and Ben, Judes Makers and Repairers of Organs and other reed instruments, and many other musicias in the Territory, to the superiority of the Organs, to whom we beg to refer all per-

gans, and many of our customers, from a parts of the Territory, have written us enths. stastically in their praise. We have been offend the Agency of many of the principal naken including all the Organs introduced in this city up to date, and have had five leading organs placed side by side of those of the Mason & Hanlin Organ Ch., and the unanimous verdict of our home musicians was that they were much in. ferior to those of our company, We did her accept the Agency of any of them, although

So soon as we discover a better Organ, w shall try and secure it, as we are only depend. ent on the Company we represent so long as their instruments are, the leading ours in

To accommodate those persons whose circum. stances prevent their paying the full amount at once, we offer our Organs on a small cush advance, and the balance in Eight Monthly Instalments, ranging from \$9.00 to \$14.00 permonth, seconding to style. The Organs are

m gripen to Mail orders.

WM. CLAYTON, Auditor of Public Accounts.

Salt Lake City, July 23d, 1870.

ATTORNEY GENERAL'S OFFICE, Salt Lake City, July 27, 1870.

Hon. Was Clayton, Auditor of Public Accounts .- Sir: Your communication of he received his authority as U. S. Marthe 23rd inst. is before me. You say shal. that you have been applied to by M. T. Patrick, E-q. U. S. Marshal, for funds boarding prisoners, serving notices on jumprs, etc., etc., and say, this is the first time in the history of the Territory Per WESTERN UNION Telegraph Line

WASHINGTON.

By the Act of Utab, entitled "An WASHINGTON.-When Shoemaker in-Act in relation to Marshals and At-torneys," approved March 3, 1852-See Brooks wished him to read, in that conanswer his requisitions for funds to pay Utah laws, p. 38-it is provided that a nection, the telegram received by him marshal shall be elected by the joint from New York which is as follows: vote of both houses of the Legislative "Coal is twenty dollars a ton. Cannot Assembly, whose term of office shall be, dc., dc He shall, before entering upon the duties of his office, take an oath of office and file bonds with sure-

ties in the penal sum of not exceeding Harrington that C. C. Bowen, charged for the faithful discharge of his duties, had waived the preliminary examina-which bond and securities are to be ap-tion. This is the second case of hisproved by the Secretary of the Terri- amy. tory and filed in his office. \$5,000. The accused was held to bail in \$5,000.

oath to be taken by Senator Miller, of Georgia, to be admitted into the Senate

acceptance. Sec. o of the act before referred to relating to the Territorial Marshal, see Utab Laws, p. 38, requires bim to execute all orders of processes of afternoon. afternoon.

> MAINE. Fire.

CALAIS.-The Poole's block was destroyed by fire late last night. The total loss is estimated at \$40,000; insured for you, relating to the appropriation for \$25,000. Court expanses, is evidently in accord-

FOREIGN NEWS. WEST INDIES. could not draw the money except on Interesting communication from Sar

Dominge.

I must, therefore, say by the Territo-rial Marshal as I said by the United States Marshal, that what the law requires of him he must do, neither SAN DOMINGO CITY, 12 .- The Commission met last evening and exchanged views in regard to the work remaining to be done and the propriety of for-warding a preliminary report of their more nor less is necessary, and the same investigations so far, particularly as the result of the past few days begins to open a wider field for investigation than You must draw orders as the law directs, and in favor of the one who is au-thorized by law to receive them, and to none others. This will leave the conse-quences to the Territorial Government, from whom you received your elecwas expected at first; and it was agreed to name the middle of April as the time of arrival in Washington. Upon the question of sending a brief report by mail, is was decided not to send it, in tion, and which passed the law. It will also leave the United States Marview of considerable important inforshal to refer the matter to the Govern-ment of the United States, from whom mation but just obtained. The Secre-tary of State was addressed in a brief letter, giving an outline of the work al-Yours truly,

ready done and a list of expeditions sent into the interior, together with the objects of each; the date named was also communicated, as the probable time of reaching home. The parties now out, officially, are the following: The geo-graphical party, and Prof. Crane for the commission, are on the way across the Island to Querte Plate; Prof. Ward is exploring la Viga; Gen. Sigel has gone to Azus, and Profs. Marvin and Miller have gone in the same direction, with

a view to examining the copper region; Dr. Parry is making a thorough botanical