

and government of said jails and prisons; and he is hereby empowered to remove the wardens and keepers of all jails and prisons, or other officers connected therewith, and appoint others in their stead as often as, in his opinion, the public good shall require.

SEC. 13. That in the absence or in case of sickness or other disability of any of the judges of said Territory, or for any cause whatever which renders it necessary, it shall be competent for either of the judges to hold court and discharge other official duties in any of the judicial districts of said Territory; and it is hereby made the duty of said judges, upon the request of the judge of said district or direction of the governor of said Territory, in writing, setting forth the reason and necessity for such request or direction, to proceed to the district designated, and hold the terms of the court therein until such necessity shall cease.

SEC. 14. That the probate judges and notaries public in said Territory shall be appointed by the governor, be subject to removal by him, and shall hold their offices for the term prescribed by law, or until their successors are appointed and qualified.

SEC. 15. That an appeal by any party aggrieved shall be allowed from all final decisions, orders, judgments, or decrees of all inferior courts in said Territory to the district court of the proper district, and in correction of the proceedings of such inferior courts of said Territory; and to prevent and correct abuses by the same, the district courts of said Territory are hereby authorized to issue writs of error, certiorari, mandamus, injunction, prohibition and quo warrant; and in all cases of appeal from one court to another where a bond or other security is required to be given by the parties appealing, it shall not be lawful to demand or exact of such party the payment or costs adjudged or taxed against him until the appeal shall be finally disposed of by the appellate court, and the supreme court of said Territory may make rules and regulations as to the mode and manner of taking and perfecting appeals from one court to another in said Territory, and the security, if any, to be given on such appeals, so that the just rights of the parties may be secured and preserved.

SEC. 16. That the probate courts in their respective counties in said Territory shall have power to hear, try, and determine civil causes wherein the debt or sum or value of property claimed does not exceed five hundred dollars, but shall not exercise any criminal or equity jurisdiction whatever; that the district courts in said Territory shall have exclusive original jurisdiction in all actions for divorce or alimony, and in all chancery cases or proceedings. All courts in said Territory, except the supreme, district, probate and justices' courts provided for in the organic act thereof, are hereby abolished. Each district judge may fix the times and places for holding his court for the transaction of business arising under the laws of the Territory, and the number of the terms which may be held annually, but such act shall be subject to revision by the judges of the supreme court; and at one of such places, to be designated by the judges, causes arising under the Constitution and laws of the United States shall be tried. The supreme court may establish the several judicial districts, and assign the judges thereto. The district courts shall have exclusive original jurisdiction in all proceedings for the condemnation of private property for public uses.

SEC. 17. That each district court in the Territory may appoint a short-hand reporter, whose duty it shall be to report and transcribe the testimony and proceedings in such criminal cases amounting to felony as shall be designated by the judge of said court, and who shall receive the same fees or compensation therefor as are allowed for like services in the circuit courts of the United States. Such fees or compensation for services in cases of proceedings arising under the laws of the Territory, being taxed by the court or judge, shall be paid to such reporter from the territorial treasury annually, on the third Monday in December; and in case the territorial legislature shall fail to make provision for the payment of the fees and compensation by this act made chargeable upon the territorial treasury, then in such case the same shall be paid out of the funds which have been or shall be appro-

riated by Congress to defray the expenses of the territorial legislature, and for the compensation of the members thereof.

SEC. 18. That the legislative authority of Utah Territory shall have power to prescribe by law the pleading, practice and procedure in all cases in chancery and at common law now pending or hereafter instituted in the supreme, district, and probate courts, and to provide in such cases for the joinder of legal and equitable causes of action, for the interposition of legal defenses to legal causes in action, and for the same mode of pleading, practice, and procedure in cases in chancery and at common law: *Provided*, That nothing in this act shall be construed to authorize said legislative assembly to change or interfere with the pleading, practice or procedure in said courts while exercising their jurisdiction as circuit or district courts in cases arising under the constitution and laws of the United States; and in all such cases the grand and petit jurors shall be summoned and empaneled and the process of the court served in the same manner as obtains in the district and circuit courts of the United States: *And provided further*, That the existing legislation of Utah Territory prescribing the mode of pleading, practice or procedure in said courts, as specified herein, is hereby recognized as valid and declared in force in said courts, and in the determination of all appeals therefrom, until the same shall be amended, modified, or repealed by the legislative power of said Territory.

SEC. 19. That the following acts and parts of acts passed by the legislative assembly of the Territory of Utah are disapproved and annulled, namely: the act entitled "An act in relation to the judiciary," approved January nineteenth, eighteen hundred and fifty-five; also, the act entitled "An act regulating the mode of procedure in civil cases in the courts of the Territory of Utah," approved December thirtieth, eighteen hundred and fifty-two; also, sections four and thirteen of the act entitled "An act in relation to justices of the peace," approved February fourth, eighteen hundred and fifty-two; also, the act entitled "An act providing for the management of certain property," approved January twentieth, eighteen hundred and fifty-four; also, the act entitled "An act limiting the time of commencing civil actions," approved February sixteenth, eighteen hundred and seventy-two; also, section seven of the act entitled "An act creating the office of selectmen, and prescribing their duties, also the duties of county courts," approved January eighth, eighteen hundred and sixty-six; also, section one of the act entitled "An act containing provisions applicable to the laws of the Territory of Utah," approved January fourteenth, eighteen hundred and fifty-four; also, section three of the act entitled "An act in relation to writs of habeas corpus," approved February second, eighteen hundred and fifty-two, so far as the same purports to confer upon the probate courts the power to issue or allow writs of habeas corpus; also, the act entitled "An act for the regulation of attorneys," approved February eighteenth, eighteen hundred and fifty-two; also, section of the act entitled "An act in relation to writs of ejectment," approved March third, eighteen hundred and fifty-two; also, section twenty-four of the act entitled "An act regulating the mode of procedure in criminal cases," approved January twenty-first, eighteen hundred and fifty-three; also, all acts and parts of acts of said legislative assembly in conflict with the provisions of this act.

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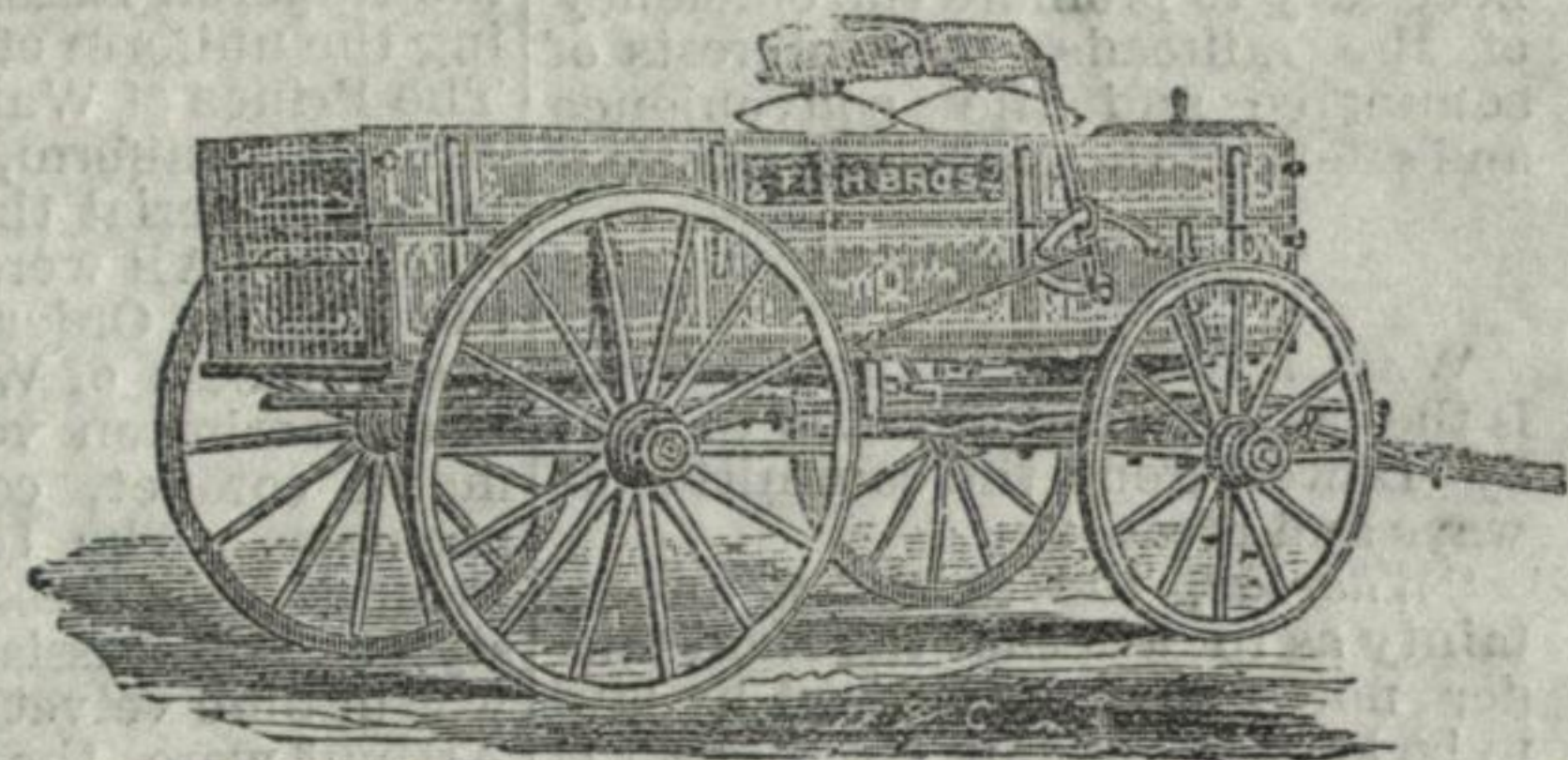
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NOTICE.

IN THIRD DISTRICT COURT, Salt Lake County.

To N. B. Evans and Edward McGarry, original locators in the Jordan Silver Mining Company Mine, in West Mountain Mining District, owners each of 244 feet therein:

YOU are hereby notified that there is now due the sums of \$180 from each of you, on your several interests in the Jordan Silver Mining Company Mine, in the West Mountain Mining District, for labor performed by me on said mine, which you are hereby notified to pay within ninety days. Should you fail or refuse to contribute, your proposition to comply with the 5th section of the Act of Congress, of May 14, 1872, entitled, "An Act to promote the mining resources of the United States," your interest in said claim will become the property of the company owners thereof, who have made the required expenditures.

JOHN W. KERR.

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