Tenterden said, "with reference to the facts and subjects under discusall the public records as a means of more right to production of writing The SPEAKER. That motion THE EVENING NEWS. that the den." I repeat, the

plaintiff's claim of the right of There are many instances of apspection, upon no other ground, and for no other end than to make himself acquainted with what the books contain, is simply preparateplications by corvholders, som believe, in which no suit has b depending, where questions h arisen; as to the course of desce toms within the n ous.

Brother Baskin says the examination of these books is a notural ject to analogous conditions. The general principles are suc-cinctly stated in Greenleaf's Evi-related to the matter immediately in right! Then there is an addition to be made to the list, as thes the rules and concurring in the plaintiff otherwise than by increase ing his stock of knowledge. Cou-ing his stock of knowledge. Cou-sidering the as the basis, and the sole basis, 6( his claim, it is simply reposterus. To satisfy his thirst or information and his curiosity, in an and muss is granted only Mr. ELDREDGE called for tell-mandanus is granted only Mr. ELDREDGE called for tell-sole basis, 6( his claim, it is simply the as the basis, and the sole basis, 6( his claim, it is simply reposterus. To satisfy his thirst or information and his curiosity, the mass of organises in the affirmative. Mr. ELDREDGE called for tell-sole basis, 6( his claim, its simply the side to the matter immediately in subject to the matter immediately in su rights are defined in the books; it

> eccasion with reference to which the inspection should be granted, and the court refused to interfere. There appears, therefore, to be no instance in which a rule has been granted like that now applied for. In the same case, Littledale, J.,

r session of this property, could we in our own names sue for the tion of this Plaintiff to the city cor-poration and its books is the same. The corporation alone has property in the books. He has none, and only an indirect interest in having such books kept. But it being a public corporation, every resident of the city, at least, has a right of a cess to the city re-cords when such occasions arise as to the mack them n calful - when he has a evidence, or when he has duties to perform which they are wanted as to them. Your honor may say, as to the hon such occasion for access to them. Your honor may say, as to them. Your honor may say, as to them. Your honor may say as to the hon such occasion for access to them. Your honor may say, as to them. Your honor may say, as to the honor, like his lordship, must also I think the members have no right on speculative grounds to call for an examination of the books and documents, in order to see if by possible ity the company affaits may be bet-ter administered than they think they are at present. If they have any com-plaint to make some anit should be institu-ed, some definite matter charged; and then the question will arise whether or not the court will grant a mandamus. court will grant a mandamus. \* \* If the master and wardens have been im-properly elected, the parties moving for this rule may apply for a quo warranto, but I think they have no right to call for an inspection of the broks merely tosee whether they can find any ground for further pro-Taunton, J., said among other honor, like his lordship, must also conclude "that mandamus can only issue on legal cause, and here There is an express rule that to warrant an application to inspect corporation docu-ments there must actually have been a suit instituted; but if is necessary that there should be some particular matter in dispute, between members, or between the corpora-tion and the individuals in it; there must be some controversy, some specific purpose in respect to which the examination becomes nocessary. none exists; for Courts are not organized to enforce mere civilities."

mere desite to know something MR. SUTHERLAND: while the of the city government, a mere curiosity, though a laudable one, is not sufficient ground. The rule deducible from all the authorities is but, your honor, if these prope-that when a person has no personal sitions are granted and recognized interest at stake, he cannot be con- as sound, this plaintiff has no Patterson also expresses a like sidered as having sufficient interest standing in this court on any other pinion. All the judges were of to entitle him to inspect the docu- ground than his claim of the right he same opinion and the rule was ments of a public body, if, by law, to see these records in order to he is excluded from all control over make them a matter of intellectual Counsel for the plaintiff has atthe matter to which they relate. 2

study. He can not, to serve the public, have any right in his own name to institute these proceedtempted to break the force of these authorities by calling them Eng-lish. He insists that there is a Phil. Evi., 184. The 63 vol. of the English Comings, and I desire to make that point plain, and I therefore refer to marked difference between the gov-ernment of that country and this. mon Law reports has been referred to for a case recognizing the right There the power, he says, is derived in theory, from the king. Here, it is inherent in the people. This comparison is without any signifi-cance in this argument. Note that the prosecute for some misconduct in office, affecting the entire people. this case - where a taxpayer attempted to enjoin the supervisors from dividing a municipality into three parts. Derio, J., delivered the opinion of the court, that the comcance in this argument. None of dectrine, although the authorities lainant had no such interest a the cases cited derive any support are not uniform, and perhaps the from the English theory of governentitled him to fle the bill, holding only rule on that point which the same doctrine that had been declared in Massachusetts. can be gathered from is this -that where no officer is specially copies or extracts from the rate books, but would allow him to in-spect the books. The case of Davis against the A stockholder in a corporation any person, as relator or otherwise, may institute proceedings for the Mayor of New York, 14th New York, 597, and Roswell against Dra-I now refer to an American case crime, and bring the offender to justice. But how? In his own name? No, your honor; he has a right to institute proceeding in the name of the Pcople. He has no right to bring an action to obtain a judgment for himself, in respect perform a duty supposed to be ima judgment for himself, in respect to the infinitessimal di-advantage that he may suffer. He must be able to represent the whole people and institute proceedings in their name; and that was the case there. It was Rex vs. the Bishop of Can-terbury. But this is not the people of Salt Lake City, against these officers, but it is 'Courtland C. Clements, against them, who brings these proceedings in his individual name. If the court shall hold, as insufficient, the reason he assigns insufficient, the reason he assigns was an application by a tax-payer for demanding this mandamus— for demanding this mandamus— his mere curiosity or desire for more knowledge, then certainly he does not show that he has any such in-terest as will entitle him to insti-would be affected as such tax-

eding as the petitioners 'desired, they applied for a mandamus to compet them. Shaw, Chief Jus-tics, delivered the opinion.

Der Lamb, two crops out of loft ear, has a strap around its neck. The finder will be rewarded by returning it to THOMAS PHINGLE. Four blocks north of 29th Ward Store. Undoubtedly the general rule is, that a rivale individual can apply for a writ of mandamus only in a case where he has mandamus only infantar inforcet to be sub

LOST.

manuamus only in a case where he his none private or particular right to be sub-screed or some particular right to be pursued or protested by the aid of this percess, inde-pendent of that which he holds in common with the public of there, and it is for the public officers exclusively to apply where pub-he rights are to be subserved. Do You Want to Save Mone Call at Liddell & Brown's

I refer now to Bates vs. Overseen Scotch Store, north of the Post Office, and buy your Groceries. Provisions. ctc. Besides their large and carefully selected stock of Groceries and Provisions, they keep the finest Edinburgh Oatmeal, Loch Fine Herring, Moirs' Finnan Haddies, Genuine Dundee Marmalade, etc. Also L. Rose & Co's Lime Juice, Cordial and of opinton, that unless there were some cause depending, the tenant had no right to call for the inspec-tion, and they observed that in each of the cases cited in support of the rule, there was some cause of proceeding instituted. The party there did not show any particular eccasion with reference to which

cooling drinks for heat in blood and skin. All goods purchased at their store warranted and delivered. Bed Bug Buster: try a bottle. dist til jupe 12 a It.



DONT POR DATE JAMES TOWNSEND, Proprieto

I refer to Doolittle vs. the Super 25.000 Lbs. visors of Broom Co., 18 New York.

MR. BASKIN: I don't dispute that doctrine. WOOL

WANTED counsel for plaintiff assents to these propositions I feel more confidence AT THE in presenting them to your honor; Salt Lake City Woolen Factory, 19th WARD

For which Money and Cloth will be paid

to see these records in order to diffi 1m JAMES MAY, Proprietor.

NOTICE. The Bounifal Co-operative Brick pards

Are now in operation, and are selicited, one thousand to one million are selicited. Brick and Tile of any shape made to order. Brick and Tile of any shape made to order. ANSON CALL, Supt., Bounting, Davis Co. d128 3m ]

James T. Blanchard, C.E.,

ANALYTICAL AND ASSAVING OFFICE Rooms, 12 and 1% Groesbeck's Ruilding,

Second South Mt., up-stairs.

and professional consult and das et UTAH HOTEL. (Late North Star Hotel.). South Temple Street, Salt Lake City. Two blocks cast of R. R. Depot. Street Cars pass by the door. This hovel having changed proprietors ind name and been refurnished through-but will supply the best of specimical lation. Geoprical Massac, Proprietors. d161 1m

The SPEAKER. That motion all the public records as a means of more right to production of what that is a parson having them, than that is a parson having them, then that the production of an other wise is a parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, the parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, then that the production of the parson having them, the production of the parson having the parson h UBLISETD DALLY, SUNDATS RECEPTED July 1, 1974. the motion to suspend DAVID O. CALDER. rules was seconded.

the rules and concurring in the

(two-thirds voting in favor thereof, for the same time are said to be and the amendments of the Senate thirty-six millions below the esti- were concurred in.-Congressional and other cases I will not trouble

## DISTRICT COURT. The Mandamus (ase

Oute readers are aware that, som time since, one C. C. Clements, a tool and member of the anti-"Mor- that, for the purpose of obtaining mon" ring, applied to Mr. Robert information, the privilege of access Campbell, City Recorder, and other to read all the original records, is officers of the municipality to allow Treasury Department in Washing- him to inspect and take copies of ton were discharged yesterday, the various city records in their most of them ladies; the scene at possession, claiming that, as an

tressing, several of the ladies hav- had the absolute right to do both. ing fainted when informed that The privilege of inspecting the rec- and to inspection and production of ords was at once accorded, but he private writings, is governed by was informed that he could not be is as certain and well defined as permitted to take copies of the any other right recognized by law. same. Clements declared that the records were voluminous and that he could not understand them unless he had copies, he accordingly commenced pro-

> lute property, which the law will recognize as freely as in a chattel; for desiring to inspect the books application was over-ruled on some them. triffing technicality; and he then

applied for a writ of mandamus to A negrees was arrested at, Win- compet the officers to allow him to have no application to property. thester, Ky., on Sunday last, for copy the city record. The arguprobative quality. ment in the case was heard yester-

day, R. N. Baskin appearing for Clements, Judge Sutherland for the to their owners, as in Carpenter Defendants. As the case is one of vs. Benson (4 Sandy ch. 494) and in Langsten vs. Cox (1 Chitty's rated to the poor, and had made the usual demand. The summary application for delivery thirty of whom were killed and erality of our readers will no doubt

The public debt statement for The Argument of Judge Satherland for the (is).

plaintiff otherwise than by increas-ing his stock of knowledge. Con-

daughter of the Rev. Ephraim upon a division there were ayes

The people vs. the Supervisors of Chenango, 11 New York, 563; 2 Constock 499; 5 Metc. 73. The de-fendant must be under a clear legal

obligation, not depending upon dis-cretion, and there must be a refusal to perform. The Commonwealth vs. Hampden, 2 Pick. 414; Chase vs. The Blackstone Canal, 10 Id., 224,

al administration. dismissal is said to have been dis- elector and taxpayer of this city, he

ceedings in Chief Justice Mc-Kean's court to compel the officers to comply with his demand. His

erality of our readers will no doubt peruse, with interest, the following full report of the production of private writ-ings for inspection, in favor of per-sons who have no absolute proper-ty in them, is ordered under certain

that information is now sought in cords and documents depends on the interest of municipal reform, the same principles it is enforced which the party has shown himself to have a particular interest, and the court has granted a mandamus cau in any way be beneficial to the The question was upon seconding

ers on ordering the yeas and nays Tellers were not ordered, there being 22 in the affirmative, not one

fifth of the quorum. So the yeas and navs were no

The rules were then suspended

ordered.

-not schools for imparting instruc-tion. It may be observed, however, more than the respondent is obliged

The right to inspection and copy

must coincide. In this case we contend there is no such right, no such duty. The defendant's offices are places of business-of official work court. there is a more liberal privilege granted by statute. King vs. the Mayor of Maidstone,

6 D. and Ry., 334, held that a manto grant; and that ought to be con-sidered quite sufficient to enable damus does not he to allow inspec-tion of the record of a court leet, the plaintiff to make himself famiunless the party assigns some satisliar with the details of the municifactory reason for the inspection. King vs. Clear, 4 Bam. and Cr.,

899, a rule misi had been obtained of public records and documents. for a mandamus directed to the churchwardens of the parish of B. commanding them to permit J. P., an inhabitant of the parish, rated to the relief of the poor, from time to time, and at all reasonable times, 1. In regard to private writings. to inspect the accounts of the These exist in endless variety: churchwardens, and overseer of the many are important, as representpoor, of the parish. It was cou-

tended that the privilege of inspec-tion had been granted by statute. The court held otherwise, and, therefore, that "the applicant should have shown some ground ances; as contracts; as acquittances; others for their evidentiary charac-

ing money or values; as convey-

In them there may be an abso-

ike actions may be brought for As writings they are sui generie,

King vs. Mary-le-bone, 5 Ad. & EL, 268, a rule *nisi* had been ob-tained for a mandamus to the ves. and subject to certain laws that can trymen of St. Mary-le-bone and their clerk to permit J. H. etc. to inspect and take copies of, or ex-

They are subject to orders on

circumstances, for particular pure invariable rule is that, under

The books of a corporation are public in respect to its mombers; but private with respect to strangers. In regard to its mem-bers a rule for inspection will be granted of course on their application, where such inspection, a shown to its measury in regard to some particular matter in dispute, or where the granting of it is necessary to pre-vent the applicant from milering injury, or to enable him to perform his duties; and the inspection will then be granted only so for as is shown to be essentiar to that, end. your honor to take memoranda of. The dispute or controversy that will furnish sufficient occasion Of course the right of the plain-tiff and the duty of the defendant must, of course, be of such a nature as to justify the interference of a

The cases are numerous, and saidfully establish these elementary doctrines, and confine the privilege of inspection within them, unless

and for want of such statement'

tracts from, the rate book of said

according to a resolution which

had been passed by the vestrymen,

he could not allow him to take

spect the books.

the rule was discharged.

The Spanish government erect a monument to Concha.

June, shows a decrease of two mil-

AT FOUR O'CLOCK

EDITOS AND PUBLISHES.

NEWS OF THE DAY.

REV. DR. BELLOWS, of New York,

was married last evening, to the

Chas. F. Conant, of N. H., has

The internal revenue receipts for

the fiscal year ending yesterday,

were six hundred thousand short of

the estimates; the customs receipts

Postmaster General Creswell has

A dispatch from Halifax says

Several hundred employes of the

their services were no longer re-

Representative Hale, of Me., has

R. D. Entwistle, a New York

Mr. Henry Grinvell, a well

known citizen of Yew York, died

Election troubles are reported i

the Island of Corfu; the military

were called out to disperse the meb

compositor, has just died of hydro-

withdrawn his acceptance of the

position of Postmaster General.

that the cable steamer Faraday

struck an iceberg and is a total

taken a formal leave of the em-

ployes in his department.

been appointed assistant Secre

sday. . .

Peabody, of Boston.

of the Treasury.

mates.

wreck.

quired.

hobia.

yesterday, aged 75.

poisoning three children.

There was a heavy fall of snow at Cape Breton Island, on the 29th ult.

Serrano will succeed Concha in command of the Republican troops:

The British ambassador at Constantineple has offered his services mand as a whole. So far as the as mediator between Turkey and as mediator between Turkey and to the extent mentioned in section Persia; but the Porte says he will send an army to the Persian order of the court is necessary to frontier.

James P. Sanders, a prominent ings of the Common Council. Then, lawyer of Yonkers, N. Y., has been lal provision, no action is necessary. fatally shot by the defendant in a There has been no special applicacase he was trying.

A dispatch from the city of Mexi-co, dated June 21st, says that a ter-rible disease, of unknown character, has broken out and become epihas broken out and become 'epidemic in that country.

Sixteen persons were drowned

six miles east of Havana, yester-

THAT BILL IN THE HOUSE.

How Poinnd Bushed Hits Through-The Amendments itely stated.

House, Washington, June 23, 1874.

The next business on the Speak-er's table was the bill (H. R. No. the bill (H. R. No. to courts and judi-be bill (H. R. No. to courts and judi-Territory of Utah, the Senate with I move that the d and the amend-d and the amend-3097) in relation to courts and judi-cial officers in the Territory of Utah, returned from the Senate with MR. POLAND, I move that th

Mr. CROUNSE. Is it in order to call for the reading of the bill? The SPEAKER. Strictly speaking it is not in order to call for the House is supposed to understand what it has passed. But it is prohalf, and in behalf of a committee of forty-five, appointed, at a public meeting of tax-payers and electors to inspect the records of said city, on the 9th day of June, 1574, per-sonally made a demand, in business hours, for the privilege of inspect-ing the assessment rolls, and all the records in the several offices of the respondents, relative to the assess-ment, collection and dispursement per to call for the reading of so much of the bill as will render in-telligible the effect of the amendments made to the bill by the Senate. cent, collection and disbursement

of the city taxes and other revenue, and of making copies thereof, &c. The object of such inspection, the defendants were informed, was Mr. POLAND. The Senate have struck out so much of it that I think my friend from Nebraska [Mr. Crounse] will be satisfied. The amendments of the Senate to ascertain in what manner the were read, as follows:

affairs of the city are and have been conducted, and in what manner and for what purposes the revenues of the same have been collected and disbursed. The inspection was Strike out after "divorce" in the 15, page down to and including "fact" in time 6,

page 4. On page 4. line 15, after "court," insert: Nothing in this act shall be countraied a impair the authority of the probate count to cuter land in trust f r the use and benu it of the occupants of the towner in the w rious counties of the Territory of Utab. a cording to the provisions of an act for the and disbursed. The inspection w geneted, but the making of copi and memoranda was refused. T plaintiff alleges that the record are voluminous, and that, unless he is permitted to make copies and memoranda, he cannot understand them, nor test their accurateness nor obtain any accurate knowledge of the acts of the city authorities. o 8, 156; or to d

in the answer, and must be admitted into the company, in the answer, and must be admitted into the company in the answer, and must be admitted into the company in the answer, and must be admitted into the company in the company of the second line of the second line of the second line of the company of the second line of the second line of the second line of the company of the second line are not made parties; for section 4 of the Practice Act requires all ac-tions to be brought in the name of the party mally interested; and section 446, relating to this particofficer and sowns upon the public of error from the Supreme Court alted States to the supreme court writery shall he in eriminal cases Full Cloth, embossed,..... We be the theory shall be as even as the statum and max statum as the statum astatum as the statum as the statum as the statum as Chicago, to. Ballis and an an an A BORER HIST HULL AND A Importers and Dealers Watches, Diamonds Other characters by the Company. Jewelry and Gold Chains. THE DEAL BOATMAN of these amendments. I call he reading of the bill as red. POLAND. I move to an-the rules so as to dispense he reading of the bill and to in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight, that he may be in the numerican of the sight of the sis the sight of the sis the sight of the sight of -----Jacob Vatori Andi Atte A dia Banyana Geo. Pressoft January Man, J.S. Layonay Manuary Contactor Contactor Contactor Chain de Fonds, Plast Laval, St. Imter, alts an SWITZERAANDIT Die Maala tablin, under these circumstances, ine court granted a mendances to manact the court rolls, so far as mo mannice almody committee, such L.M. RUMSEY&CO. Parquette Cirole and First Mr. CROUNSE. I move that Alanufacturers and Jobbers of Ana T PUMPS & FIRE ENGINES. from M to still o opening without referring to any way commissioners LEAD PIPE AND SHEET LEAD, TROM PARE FITTINGS, BELTING, HOR PACETICS AGRICULTURAL DEPLEMENTS. writing. If the in the early cases and in the text what was calle books are to be understood, as Lord mon; and the tunity to example ly to enable him to make open at half-past T o'clock. North Main Street, ST. LOUIS, MO. anes commences at 8 o'clock p. m.

15 of the charter applies to the Re-corder, and a particular record, not to all records, nor at all to other officers. That provision has been will not be ordered to be produced, read. It entitles every elector and person interested to inspect the re-be cord of the proceedings of the City page 199 of Philips on Evidence: That provision has been

Council, nothing more. The de-fendant Campbell holds two offices, one that of Recorder, the other Auditor of Public Accounts. A

It seems that the common law jurisdio-tion af courts of law for enforcing the pro-duction of such documents is given by the pendency of a suit, and by that alone. There appears to be no instance in which a court of law has made a rule for the pro-duction of such documents, except where a suit has been pending, and where they have been required for the purpose of assisting in the inquiry involved in the suit. demand was made upon him generally, in respect to both offices; and the answer was made to the de-

office of Recorder is concerned, and procure to any person the inspec-tion of the record of the proceed-

tion for the privilege given by that section, and no refusal. If any

no controversy whatever on the subject of the right of any of the persons, alluded to in that section, to have the full right of inspection which is there granted; and my argument will not be made against it; but only against the claim which is made, not only upon

the Recorder, but upon the Auditor of Public Accounts, and upon the Collector, Assessor and Treasurer, for an inspection, which is not ex-pressly granted by the charter, and which, as we shall argue, is not granted by law, for the cause men-tioned in these papers. What is that cause? That there is a right Fourth. In an action upon con-tract the decondant may ask for production of the instrument on which the action is founded, and which in itself constitutes the cause of action. Bank of Utica vs. Hil-

of action. Bank of Utica vs. Hil-Hard,6 Cow., 62; Willis vs. Balley, 19 John, 268; Jackson vs. Jones, 3 Cow., 17 and note. Fifth. A third person will not be required by an order to produce

papers legitimately in his hands. Davenbaugh vs. McKinnie, 5 Cow., 27; Cocks ve Nash, 9 Bing., 721; 2 Phil. Ev., 196.

what papers are protected from productio Sixth. In equity a complainant has a right to a discovery in respect to all the material facts of his case has a right to a disc

to all the material facts of his cases to examine the defendant as to the whole case made by the bill. And the complement may move the Court, at ones, after the an-swer is put in, for production of all the documents which the defend-ant admits in his answer to be in his possession or under his control; and the production is a sub-stitute for the statement of them at large in the answer. Corpenser to hem son, 4 Sandt, Ch. 496. To entitle a complement to such

The complainant's case is in no application, nominally, in behall of a committee of forty-five, wh

the privilege asked, and that the applicant must rely on the general right. At the close of the arguthe custodian of the corporation records to permit him to inspect them. He asked this simply on a showing that he was a stockholder, ment Lord Denman, C. J., said: and for that reason was desirous to

I think I have already stated on the trial of a cause arising out of the disputes in this parish that it was wrong to withhold the books from any respectable persons claim-ing as these parties do: whether or not we have the power to inter-whether or not we have the power to inter-I have examined all the cases

things-

ischarged.

ment

I have examined all the cases to which we have been re erred, and can find none where the writ wa granted to enable a corporator to gratify tile curissity. The principle seems to be, and very properly too, that the party asking the writ must have some interest at stake which renders the inspection necessary. After hearing the case under admen of the court and said: I have stated already what we considered

Second rule, that a person shall not be obliged to produce evidence against himself, at law, either at the trial or before. This, rule has been relaxed in this country as well as in England by statute, so King vs. Northleach & Co, Roads 5 B & Ad. 978; Mayor of Lynne vs. Denter, 1 Term R;689; Barnstable vs. Latley, 3 Jd, 306; Rex vs. Lucas, 10

East, 235; Rex vs. Tower, 4 M & S. means simply, that, because there

now an adverse party may be re-quired to testify; but there can be no discovery before trial of mere matters of evidence, except where there is statutory authority to order there is statutory authority to order

now an adverse party may so to quired to testify but there can be inspection, no mandamus should in the occas. and the of widding any different dotrine, or there is statutory satthority to order it. I cite upon this, I Greenlear it. I conterve the case of the Popper the Case of the Popper and the right to inspect the case of the Popper and the right to inspect the shore of the suit when there is occasion of the suit when there is occasion of the suit when there is occasion in for the suit when there is occasion of the directors should be obtained, in the feel in the 13 dir. Benslow vz. Fowler, in for the suit when there is occasion of the directors should be obtained, in the directors should be obtained, in the directors should be obtained in the proceedings of the shore in for the suit when there is occasion of the directors should be obtained in the proceedings of the shore in for the suit when there is occasion of the directors should be obtained in the sum the proceedings of the shore in for the suit when there is occasion in for the suit when there is occasion in for the directors should be obtained in the sum there is occasion of the directors should be obtained in the tort is suited of the directors should be obtained in the tort is suited of the the tort is of the mande of the proceedings of the sum there is any official the sum there is any official the suite of the directors is and your the suite of the director proceedings of the sum there is any official the suite

Rex vs. Merchant Tailors' Co., 2 Ad. and. El., 115.

Members of a Corporation, merely

authority he claimed to be mayor alleging grounds on which they-be-lieved that its affairs were impro-perly conducted, and the officers unduly chosen, and complaining of misgovernment in some particular instances, not affecting those memof G. on the relation of some of the corporators. Another rule in that oause for inspecting all the books, papers, &c., relating to the election and office of mayor, in the office of the town clerk, was granted. The order had been framed for general inspection, without the restriction to the election and office of mayor. Phil. Ev., 198. If he receives them collusively from the party, as to fraudulently interfere with the regular court of justice, he may be subjected to the summary order of the Court. Peo-ple vs. Vail, 2 Cow., 623. A third person may be required to produce papers at a trial by sub-protected against it. Bull vs. Love-iand, 10 Pick., 14; see. 2 Cow., and Hill's Notes to Phil. Ev., 809, as to what papers are protected from

discript for this application of the second le -ed per curi When brother Baskin re atter on which the a which they are employed; the ate

when brother Baskin read People vs. Cornell he held the book with the air of triumpli. He would have your honor believe that English suthorities are subversive of popu-lar rights, here is something Amer-In Rez vs. The Hestman of New

duct, the city, as a corporation, must bring the suit, or it must be brought in the name of the whole people whose rights are affected by the supposed misconduct. On the face of these proceedings the public

a right of common in the manor. King vs. Bobb, 3 Term R.,582. A rule had been granted for an infor-mation in the nature of quo war-rante against A. to show by what In conclusion I repeat that if the defendants showed the books and would seem to have no concern in them, except that part of the com-munity mentioned as a public meet-them, it would be a more favor,

ing and a committee. It is to be inferred from what is stated that the plaintiff is so enger in his pur-suit of knowledge, that he has been able to convene enough of his friends to organize such a meeting; and that he imparted to that meet-ing so much of his own enthusiasm that it appointed a formidable com-At Kanab, Kane Co., May 1, of pulmo mittee of forty-five to second his request to be let into the mysteries ary complaint, DAVID, son of Israel and of municipal book-keeping; that these friends have supported his re-quest, on his account, that he might have these books and records to minister to his insatiate craying in the Gospel of the Son of God; in his last Prudence Eleworth. from the States; lived, as he died, rejoicing in the Gospel of the Son of God; in his last

DIED.

ckness be rejoiced exceedingly that he

for knowledge. He has based his pplication on no other ground and had lived to see the day when the organiza can be supported only on the eory that I have stated-it contion of the Order of Raoph was o

theory that I have stated—it con-cerns only him; he asks the privi-lege of copying the records only that he may know what they have to teach. Whatever may be said in argu-ment, here or elsewhere, about the proceedings instituted in this case boing to detect and punch miscon duct in office, is wholly incleatent to the matter new pending. But if there could be injected into this record an anegation that it is sup-pected that the defendants have imapplied the funds of the city, or are otherwise guilty of official mis-conduct; and that the plaintiff, jeining in this conjecture, claims

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