EVENING NEWS. PUBLISHED DATLY, SUPDATE SECRETAD, AT FORE O'CLOCK. GEORGE Q. CANNON, BRIGHAM YOUNG, ROITORS AND PUBLISHERS Monday, . . January 27, 1879. SCHOOL AGE AND SCHOOL

APPROPRIATIONS. WE have received a letter from a of the Revised Statutes.

Alend in Weber County in regard Whereupon your petitioner ob-to what he considers a defect in the school law. But it seems to us not competent in any event. Secschool law. But it seems to us that the chief defect is in the con-struction placed upon the law by the trustees of the school district in which he resides. It appears that children there over sixteen rears of age, to the number of thirty-five, have been refused admission to the district school. Our correspondent thinks the law should be changed, adding two years to the "school age," so that pupils up to 18 years of age may be admitted to the district schools, as many of them would learn more at that age than when younger. We are at a loss to know where the trustees find their authority for

the trustees find their authority for prejudiced thereby, he having had inferred from the language of that statute. There may be some duble-iy in regard to the use of school moneys for the benefit of children under or over the ages mentioned, but there is nothing that can be so construed as to exclude them from the district schools. Neither does the law say that the school moneys rais-ed by taxation shall not be used for the benefit of children under six or over sixteen years of age. It provides that the "county and dis-trict apportionment" shall be made according to the number of chil-dren reported between those ages. inferred from the language of that witnesses against him. dren reported between those ages. minds of a jury, and that an op-But when the trustees disburse the portunity to ascertain by cross-examount apportioned to them, they of the testimony of the absent withave to do so "In paying school ness is taken away. teachers according to the average It further appears from the redaily attendance of pupils."

It may be inferred that this fe-fers to the daily attendance of pu-pils between the ages of six and sixteen. But it does not say so, and there is nothing in the law prohibiting the attendance of child-ren of other ages. It is open there-fora to two views; one, that the men-ey must be used for the exclusive if a bilder was defered by a fine of not by must be used for the exclusive is a bild by a fine of not by must be used for the exclusive is a bild by a fine of not by must be used for the exclusive benefit of children of the ages denoted, the other that it may be used labor to the punishment here profor the benefit of all the pupils who vided all the authorities agree. attend, no matter what their age. And we do not think any trustees would be liable to suit at law for wealth, 7 Barr (7 Penna. St. 371), using, in good faith, the money the plaintiff in error was convicted placed in their hands to ald in edu-

cating all the children that attend

by an imprisonment for a term of not more than five years; but this section shall not extend to any person by reason of any former matriage, whose husband or wife, by such matriage, is absent for five succes-sive years, and is not known is such person to be alive; nor to any person by reason of any former matriage which has been dis-solved by the decree of a competent Court; nor to any person by reason of any form-or matriage which has been pronounced yold by the decree of a competent Court on the ground of nullity of the matriage con-tract."

2. That on said trial the prosecution offered one A. S. Patterson as a witness to prove what one Amelia Jane Schofield had testified to in a former trial of another indictment

excluding children from the schools who do not happen to be between the ages of six and sixteen. The school law says nothing about such exclusion, neither can it be justly sittees, to be confronted with the

laily attendance of pupils." It may be inferred that this re-imprisoned AT HARD LABOR for a

to time to remove abuses, even in the administration of the law. The English Government tolerates all kinds of religions in India and cus-toms that would not be permitted in England. Even when it rooted out Sati or widow burning, it did not decree that the same punish-ment should be visited on past of-fences that was denounced against The American exhibit at the Paris Exposition had created a desire among the Franch people to use certain American manufactures which are now placed beyond their reach by the French tariff. fences that was denounced against future offences. This would have been an ex-post facto law against. which our own fathers thundered. If

which our own fathers thundered. If Congress now proceeds to enfo.ce the pains and penalties against the Mormon polygamists, it is really, though not technically, enforcing a law retrospectively. As long as no attempt was made to enforce the polygamy law the Mormons, though not justified in so doing, might be pardoned for regarding it as a dead letter. How then should Mormon polygamy be treated? Jewish Convention PHILADELPHIA, 27.-The third convention of the Jewish order, convention of the Jewish order, Bria Brith, in session here, is at-tended by 250 delegates from all parts, including California and Oregon. The order comprises the most prominent Israelites in America. Among the subjects discussed were the extension of edu-cational facilities, and the en-couragement of emigration among the eastern Jews to America.

In Search of Stolen Ponies.

pardoned for regarding it as a dead letter. How then should Mormon polygamy be treated? That effences should be condoned on consideration that future offenc-es should not be committed, and for this the strictest guarantees should be taken. For the future all poly-gamons marriages should be abso-lutely forbidden. Such marriages should if the future be not only wholy vaid but should be criminal in parties of both saxes knowingly entering into them. But the poly-gamous marriages that now exist should be permitted to stand and absolute freedom secured to every person now fiving in such connec-tions to sayer it under the proper restrictions with regard to the off-spring. The peculiar institution has been sentenced to death. It cannot exist. Is it to die in twenty years and without a shock to the peace and prosperity of the bends of socie-ty and impoverish the innocent slong with the guilty? Let our Congressmen regard this question as statesmen auxious to obtain the best possible results and not as doc-trinaries. CHEVENNE, Wyoming, 27.—A party of stock men leave Sidney, Nebraska, to-day, for Ogalishs; from thence to Major North's ranche on the Dismal River. Additions to the party will be made en route. It is expected it will number 75 men. At North's, the party will be join-ed by a detachment of soldiers and proceed to the Sand Hill country, south of Snake River, in search of stolen ponies, of which there are believed to be several hundred in possession of the Indians. The party is supplied with 20 day's rations: it 102344

BAN FRANCISCO. 27 - Armen, an Italian, while intoxicated, set his house on fire, trying to kindle a fire with kerosene, and perished in the

TELEGRAPH. BY

PEN WESTERN UNION TELEGRAPH LINE. A Boise City dispatch says: The two wings of the lower house of the EASTERN.

Receipts from Sales of Stamps

legislature have come together. The democratic organization has been declared illegal. There was forty-eight ballets for the speaker-ship without a choice. A com-promise is looked for to-morrow. WASHINGTON, 27.—The returns of the gross receipts from the sales of stamps, etc., at the principal postoffices of the rountry during the last year show a total of \$406,-000 from San Francisco, next on the list ars Brooklyn, \$356,000, and Baltimore, \$332,000. Those exceed-ing San Fradcisco were New York, with \$2,866,000; Chicago, \$971,000; Beston, \$\$46,000; Philadelphia, \$905,000; St. Louis, \$464,000, and Cincinnat, \$117,000.

lames.

Another Indian Escape,

WESTERN.

Burned to Death,

The Idaho Legislature.

A Silver City dispatch says. As small force of cavalry, from Camp MoDermit, is going to the forks of the Owyhee to look after a band of Indians who recently escaped from Camp Harney, and who have sto-len a large number of horses.

The Pension Arreare Bill.



1879.

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Necessarie

iste Street, Ist Door South of W

We also offer at greatly reduced.



he district schools. It may be asked, why were these jail, at the discretion of the Court. The Court below sentenced the the district schools. ages designated in the law? Simply as a guide to the general distribution of the school moneys among the different counties illegal, ROGERS, J., saying, "It is and districts. It will be seen that this was arranged according to school population, not attendance. Some minimum and maximum of age therefore had to be fixed, in order to secure a fair and equitable division of the convict without having the Act money. When once distributed to the trustees, as provided, then those officers have it in their power ,under the law-and are so required- and, if strictly observed, would save to pay it to the teachers according to the average attendance, and it appears to us that this is the only In the cases of Common just method by which to disburse Kraemer, 3 Binn. 584, and Bourne SOUTH STREEM

by many that the money can only the Court of error. be legally paid for pupils between the ages of six and sixteen, but, as we have shown, the law does not say so, and we think there is no danger to anyone in its disburse-ment according to the letter of the tion for a rehearing of the cause. statute. But whatever view may In view of the consequences, both be taken of this part of eriminal as well as social, which the subject, it cannot be the decision of this and similar claimed with any hope of demonstration, that the law ex- their families and their children, cludes from the district schools any child who does not happen to be of Honorable Court for a re-argument an age between six and sixteen years. Wise trustees will be more careful to do what is just and con-sistent, than to fear provoking these over technical persons who, while clamoring about "Mermon opposition to education," try to tion of the illegality of the sen place every stumbling block possi- tence. ble in the way of the cause they profess to favor. (Withows) Doubles

THE REYNOLDS CASE.

PETITION FOR A REHEARING.

As this case is of more than com mon interest, affecting not only the plaintiff in error, but a great number of his co-religionists, and having attracted general attention throughout the country, we pub-

That it was an error to add hard Two or three of the more prom nent ones are here referred to. In Daniels vs. The Common of obtaining goods under false pre tences. The Act of Assembly imposed a punishment of imprisonment in the penitentiary or county

appropriation to carry out the law, and that it be made immediately available. The additional evi-dence needed in the cases of those now receiving pensions will be very slight. The commissioner will ask a small increase of clerks, prisoner to imprisonment in the county prison at hard /abor. On appeal this sentence was held to be better to confine ourselves to the and that the pension agencies be redistricted without therease of Act, which must be our guide in inflicting the punishmost, which furce. is fine and imprisonment without Almont a Fire. labor-the latter an addition not WHEELING, 27.- An alarm of fire warranted by statute. The late venerated Chief Justice (Tixel-

last night developed the fact that the books in the gas office had been MAN) never ventured to sentence s saturated with petreleum and set on fire, but were saved in a damaginflicting the punishment before him; and his sentence was as near ed condition. Crockedness in the formation relative to gas business has been alleged re- army has been treaso cently. The public mind is greatly foreign government.

as could be in the words of the Act -an example worthy of imitation, excited over the occurrence. The Cipher Dispatches, the Court some trouble, beside NEW YORK, 27.-In view of the late publications, the Tribune sees contributing to a more satisfactory administration of justice." ealth VB

The King, 7 Adolph. & Ellis 58, it was held that an erroneous sen-We are aware that it is thought tence must be revened entirely by

> of recovery. cases will bring, not only to the your petitioner humbly asks of this ferent indictment, to wit: the 11th, 12th, 13th, 14th, 15th, and 16th as-

GEORGE REYNOLDS. BEN SHEERS, V to DIT G. W. BIDDLE. Of Counsel with Petitioner. THE MORMON QUESTION IN CONGRESS. UNDER the above heading the New York Graphic of the 21st inst. has an article relating to Utah affairs

from which we make the following extracts:

claime.

ed the rate several times, and latest Turkish members of the Eastern Roumelian commission have applicants originally received the largest pensione, the man who gets adopted a motion calling the attenpensioned now gets a heavy sum in arrearage. The totally disabled man originally got \$8 per month, now he gets \$72. The question then, in the case of a totally distion of their cabinets to the obstacles raised by Russia to the financia administration of the province.

Duty on Foreign Goods.

abled new pensioner, is whether he be paid arrearages at the rate of \$72 or \$\$ per menth. The commission-The Post's Berlin special says: If is understood that Bismarck ex-pressed himself in favor of a transit duty on foreign goods passing through German territory. er will ask Congress at once for an

Esgland to Purchase Cyprus. The Post's Berlin special tele raphs that it is announced, in diplomatic circles, that England agrees to definitely purchase Cyprus to avoid complications arising from the nominal contriv ance of the sovereignty of the Sul tan. A million pound sterling is

offered, which the sultan will probably accept.

Tressonably Sold. A Berlin dispatch says: Rumon

are current that some secret in-formation relative to the German army has been treasonably sold to a at 11 o'clock a.m. The Wages Reduction. d58

Three hundred hands of Horrochs t Jackson's and of another large firm, at Preston, have agreed to refit to say prominently that the in-formation of the Tribune was desume work at a full reduction, but receive advantages which will ena-ble them to simost attain, by extra rived from direct sources. work, their old wager In a Daugerous Condition.

Horrocks, Miller & Co., the larg-"Oofty Gooft" still lies in a danest firm in Preston, have given no gerous condition, with small hope tice of a 10 par cent. reduction the spinners, and seven a half per cont, in the weavers' wsges. The Butler Loaders.

The Times' Boston special says Mixed Occupation Abaud .ned.

The Butler leaders express them-selves as consident of their strength in the coming fight, and of having a crowd with them, and say they do not mean to be driven from The Times' Constantine ple says: The idea of a mixed or supation of Roumelia seer a entir Jy abandon-ed in consequences of the objections of France and the P orte. the position they gained in the

Tas Pope Turestened.

last election or to be outflanked by the leaders of the Abbott ring. Bi-Th's Times' By rlin special says; A multaneously with the publication tel gram from Rome reports that of an address to the people come's the Pope has received threatening the report that Butler has bought letters from 'socialists in connection of an address to the people come's the Pope hav, received threatening the report that Butler has booght the paper subsidized by him in the last campaign. and intends to call the attention of the powers therete.

The Edison Electric Light.

The Sun says: The delay in Edi-son's application of the electric The Flague-Unnecessary Measured Russia charges that the Austrian light, to general uses of illumina-tion, affords no small consolation to the officers of gas companies and holders of gas stock. Their prep-erty has again appreciated in value. and German measures to prevent the spread of the plague are un-necessary and threaten to cripple Russian commerce.



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Carles -

CONFECTION, TRY.

their numerous customers and irrends, for the liberal and have been added upon them during the time they have be d hope that by continuing to keep a choice exiscition of hed with strict attention to business, to continue to

A DATE DATE OF BE BRACTATINE. 1937 A2 .H .