

it was the duty of the assessor to value and assess the property according to his best knowledge. Under the facts as disclosed the assessor committed an error in judgment only and the only relief would be by application to the county board of equalization which is no longer in session. The county officers now have no authority to modify or reduce the assessment.

Elder John R. Crawford of Springville, Washington county, Utah, called on the "News" today and reported his return from the Eastern States mission field, for which section of country he left this city Sept. 10, 1895. Elder Crawford labored in West Virginia the first year of his absence, and the remaining part of the time in the state of Pennsylvania. He reports conditions very favorable for the work of the ministry there, and says that a good many of the people are quietly investigating the principles of the Gospel and that the Elders are making many warm friends and receive hospitable treatment. The outlook for future work is indeed encouraging, as the field is being opened up and seeds are being sown that will result in a rich harvest in the Lord's own due time. October 16, 1896, Elder Crawford and companion went into Cameron county, Pa., and preached the Gospel there for the first time. Last month a conference was held in that county and a good time had by the Elders and their friends. Elder Crawford had good health during his absence and enjoyed his labors very much.

Accompanying Elder Crawford returning was Elder William Hill of Rexburg, Ida., who has been laboring in the same section and has also enjoyed his labors. Elder Blackburn of Wayne county, Utah, was also among the number.

#### FROM MONDAY'S DAILY, NOVEMBER 8.

The death of Miss Bessie Jackman, daughter of Mr. and Mrs. Ami Jackman, occurred in this city last evening, the young woman succumbing to typhoid fever, from which she had been a sufferer for about two weeks. The deceased was in her 30th year, being born in this city March 9, 1868. Her father, Ami Jackman, was one of the '47 Pioneers and was among the first riders of the Pony Express which ran between the Missouri River and the Coast in early days. Miss Jackman was a most estimable young woman and her sudden demise will come as a great shock to her many friends by whom she was beloved and respected.

According to reports received yesterday by Capt. J. Witherell, says the Ogden Standard, there have been discovered wells of crude petroleum in the midst of the Lake about five miles northwest of the shore of the Lake, and near Fremont Island. The find was originally made by a couple of hunters who were crossing the Lake and saw what proved to be a crude petroleum boiling up and they began to investigate. Some of the stuff was taken to Salt Lake and a few drive wells were sunk, so that now, if reports are true, there are fourteen of these wells. Parts of them are owned by Salt Lakers and part by a Mr. Farley of Hooper, who made the discovery.

It was reported yesterday that Geo. Paine of Layton, had been driving a well when he struck what seems to be pure asphaltum.

Judge Marshall of the United States circuit court, decided an important point today in the case of S. F. Mackie vs The Brickyard Gold Mining company. Mackie brought suit on a protest and adverse claim concerning certain mining property at Mercur. The defendant company demurred to the complaint on the ground that the fed-

eral court had no jurisdiction to try the case, as no federal question or any other question arising under the Constitution or laws of the United States was involved. The court sustained the demurrer, holding that no federal question was involved in this class of cases, although the same are instituted pursuant to the federal statutes relating to the public domain. The importance of the question is that the doubt heretofore existing among the members of the bar as to the right to bring all protest suits in the federal court has been finally settled in this jurisdiction.

At the regular monthly fast day meeting of the Saints of Herriman ward, held Sunday, November 7, 1897, Elder William C. Crump was ordained a Patriarch.

Elder James S. Crane was ordained a Bishop and was set apart to preside over the Herriman ward, with Elder George Morris as first counselor and Elder Joseph S. H. Bodell as second counselor. Each of the brethren above named were unanimously sustained to act in their respective callings.

President Joseph F. Smith, and Elders Angus M. Cannon, Joseph E. Taylor and Charles W. Penrose, of the presidency of the Stake, officiated in the ordinations, etc. The people and the leading Elders of the ward expressed themselves in the meeting and rejoiced in the great blessings of the Lord attending them.

Much valuable instruction was imparted by the visiting brethren, and a good spirit prevailed during the entire services.

Elders Wm. Jenkins and Walter C. Humphreys, the former of Pleasant Green, Salt Lake county, and the latter of Millville, Cache county, made a call on the "News" today, having just returned from the Southern Indiana mission. Elder Jenkins left home on the 11th of April, 1896, and labored the whole of the time in the Southern Indiana conference. Elder Humphreys left home on the 9th of September, 1895, and for the first two months labored in the Illinois conference. On account of ill health he was transferred to Indiana, where he labored until released to return home. For the first six months Elder Humphreys's health was very poor, but since then he has been feeling splendid. Both report the mission in a prosperous condition. The brethren return home in the best of health and spirits, and say they enjoyed their labors very much.

Annabella, Sevier county, Utah.

Nov. 5, 1897.

Resolutions of respect to the memory of Sister Emma Johnson Spafford, who departed this life Oct. 19th, 1897, after a brief illness of only a few hours:

Sister Spafford was a gentle, unassuming Saint, the guardian angel of her own home circle, making it a paradise on earth to those with whom she was there associated.

For many years she filled the office of president of the Relief Society of Annabella and by her sweet charity and humility gained the sincere love and confidence of all who knew her.

On Dec. 14th, 1895, she was called to the position of second counselor to the president of Relief Society of Sevier Stake, which calling she filled with unswerving integrity until the time of her death.

Whereas, our Heavenly Father has seen fit to call from our midst our beloved sister and co-worker;

Resolved that we, the members of the Stake board of Relief Societies of Sevier Stake, feel that we have lost a true and faithful worker who was always ready and willing to do good.

Resolved, that we cherish her memory and regard her wise counsel ever worthy of emulation.

Resolved, that a copy of these resolutions be sent to her family, also be published in the Woman's Exponent, "Deseret News," and Provo Enquirer, and placed upon the Stake record of the Relief Society.

Signed by Elizabeth B. Bean, Thirza M. Thurber, Maria M. Horn, Celia E. Bean.

MARY NEBEKER.

#### FROM TUESDAY'S DAILY, NOVEMBER 9.

Mrs. Heber J. Romney died at her home, 122 C street, today at 12:45 p.m. If the providences of God can at any time be referred to as sad, then the demise of this estimable lady is unquestionably an event to be deplored. Many will be both shocked and pained to learn that Sister "Kate," whom they knew and loved so well has been called away in the hey day of life. She was endowed by nature with an unusually noble spirit, and in the capacity of wife, mother or friend, left very little to be desired.

The sympathy of a large number will go out unstintingly to the bereaved husband and the motherless children, and while they are suddenly brought to "mourn for the touch of a hand that has nourished," and to "sigh for the sound of a voice that is still," many—very many who knew her worth and her qualities will, with them, shed tear for tear.

Since the session of the last Legislature there has been a question in the minds of many as to whether county warrants issued prior to 1897 could be used in payment of taxes for this year. The question was raised by County Attorney J. Wesley Warf, of Carbon, and Deputy Attorney General Benner X. Smith, in a communication today gives it as his opinion that the matter has been definitely disposed of in the case of Fritsch vs the county commissioners of Salt Lake, and gives it as his opinion that county warrants of previous years will not liquidate this year's taxes. The opinion is as follows:

"We are in receipt of your favor of November 1st asking for advice as to whether or not the county collector of your county should accept county warrants issued in 1895 and 1896 in payment of taxes of 1897. I would first refer you to chapter 66, page 259, of the laws of 1897, which provides, in substance, that county warrants shall be taken in payment of county taxes, city warrants in payment of city taxes and school district warrants in payment of district school taxes, provided that State school taxes, county school taxes and sinking funds shall be paid in cash. This law, as you will observe, specifies what particular taxes are payable by particular warrants. The question whether warrants issued for indebtedness other than that of the current year in which the taxes are payable, can be received in payment of taxes for the current year presents, however, a different question. Section 3, article 14, of the Constitution prohibits any county from creating any indebtedness in excess of the taxes for the current year, unless the proposition to create such a debt shall have been submitted to a vote of the qualified electors, etc. The Supreme Court of Utah in the case of Fritsch vs board of county commissioners of Salt Lake county, 47 Pacific reporter 1026, in construing this provision of the Constitution, held, first, that the county should create no debt during the year without a vote, which the revenue of that year would not pay. Also that a debt incurred in one year could not be floated over to the next year and paid out of its revenues without a vote. The indebtedness of the year must be paid out of its revenue. The Supreme Court also hold that if any portion of the revenue of any year in