

the prisoner up but the officers kept a close watch on those who indulged in the expression of that kind of sentiment and no attempt at lawlessness was attempted.

The wife of the dead man arrived from Park City this morning. The funeral will occur at Bingham tomorrow. The preliminary hearing of the slayer will also begin tomorrow, before Justice of the Peace Turnbull.

The Supreme Court handed down an opinion late Saturday afternoon in the case of James G. McAllister, appellant, vs City Auditor George Swan, affirming the judgment of the lower court.

McAllister was inspector of provisions for Salt Lake City and in 1896 the City Council abolished the office. He brought suit to recover \$1,080 back salary alleging that the Council had no right to abolish the office.

The opinion is written by Justice Barch and is concurred in by Chief Justice Zane and Justice Miner.

In passing upon the case the court says:

"The relator was appointed to the office in January, 1894, but this court held that appointment void in the case of the People vs McAllister, on the ground that no vacancy existed when it was made. Alma S. Kendall was held to be the lawful incumbent of the office and entitled to discharge its duties and receive the emoluments thereof, until lawfully removed or until the expiration of his term, and in Kendall vs Raybould we held that, not having been lawfully removed therefrom, said Kendall was entitled to hold the office and receive the emoluments thereof until November 18, 1894, and granted him a writ of mandate to compel payment of the salary to him accordingly.

"It now appears that without any removal of Kendall and right in the face of this decision of the People vs McAllister, the Mayor and City Council on October 16, 1894, again appointed the relator herein to the office. This appointment was void for the same reason as the one made in January previous.

"It may be observed that the sooner the Mayor and City Council will learn that such trifling with the law will not be tolerated, the better it will be for the interests of the taxing public.

"As the office was abolished by ordinance on February 5, 1896, the relator had no right to longer exercise any authority or perform any acts or service by virtue of the office, and if he did he has no legal claim against the municipality for compensation for services so ment is affirmed."

"Therefore the auditor properly refused to issue a warrant on the treasurer for the sum in question, and the court below committed no error in denying the writ of mandate. The judgment is affirmed"

An opinion was also handed down affirming the judgment of the court below in the case of Willis L. Mangam vs the Bullion-Beck & Champion Mining company, appellant. In this case Mangam secured a judgment of \$4,750 against the company for personal injuries. Justice Barch wrote the opinion and Chief Justice Zane and Justice Miner concurred.

FROM TUESDAY'S DAILY, NOVEMBER 2.

Beaver, Utah, Nov. 2.—Daniel Beck, a merchant of this city, and recently appointed postmaster of Beaver, expired at 3 p. m. today, after struggling with typhoid fever for the last seven weeks. He was an Elder in the Mormon Church, and a prominent and stalwart Republican. Mr. Beck leaves a distracted and broken-hearted wife and one child. He was formerly of Alpine City, Utah county, received his education in the University of Utah and was county school superintendent of Beaver county for some time. Mr. Beck was about 32 years of age.

At a political meeting held in the Bountiful opera house last night Alfred Burningham had the misfortune to meet with a very severe accident. On leaving the meeting he fell a distance of about eight feet, striking the stair below, which resulted in the breaking of his collar bone. He also sustained other injuries which will no doubt confine him to his room for some time to come. Kind friends were soon at his side and carried him home and rendered all the assistance in their power. He suffered much during the remainder of the night

Boise Statesman: The identity of the man murdered in Long Valley has been satisfactorily established. He was John Decker, whose home appears to have been in Spokane. A letter from his wife was found upon him written at Spokane, August 23rd. In it she stated she was about to start on a visit to Seattle. The letter was sent to the husband at some town in western Washington. There was found in the murdered man's valise a bill of sale made out at Sprague, Lincoln county, Wash., by E. F. Clawson to John Decker and acknowledged before T. M. Cooper, notary public. Another bill of sale found in the valise was given by T. J. Dunkle of Rossland, B. C., to Mary Decker of Spokane.

Ogden Standard: Carl Anderson, the well known contractor, painter and decorator, and for the last two years instructor in drawing in the public schools, died Sunday night at nine o'clock, after an illness lasting about three weeks. The disease which carried him way was typhoid fever, and it was a hard fought battle with death, every means known being employed to prolong his life.

Carl Anderson was born in Akerhus, Norway, July 9, 1856, and came to this country, locating in Coalville, in 1871. He lived in Coalville eight years, and was sent from there to the Sandwich Islands on a mission, where he remained four years. On his return to Utah in 1882 he located in Ogden and has since lived here. His life has been one of uprightness and integrity and his friends are innumerable. He was a loving husband and father and leaves a sorrow-stricken wife and six children, two boys and four girls, the eldest being a son of 17 years, and the youngest a six-months-old babe, to mourn his loss.

Acting Attorney General Benner X. Smith submitted an opinion today to S. H. Eddy, county attorney of Grand county, on the question of what constitutes "actual traveling expenses" referred to in the session laws of 1896-7. Mr. Smith says that hotel bills come within the meaning of the law's expression. The opinion in full is herewith given:

"We are in receipt of your communication of the 21st inst., asking if the expression "actual traveling expenses" as used in section 8, chapter 49 of the laws of 1897 in reference to county superintendent of schools attending conventions and the same expression in section 6, of chapter 124. of the laws of 1896, providing for salaries and compensation of State and county officers, would include hotel bills (board and lodging.

"Hotel bills and such other charges for maintenance as are actual and necessary while superintendents or commissioners are traveling in the discharge of their duties would be, in my opinion, included within the expression "actual traveling expenses."

Representatives of the Church of Jesus Christ of Latter-day Saints, says the Helena Independent, are now in Helena with a view to establishing here a branch of the organization, and

incidentally with the ultimate object in view of gathering together the representatives of the denomination all over the state and reviving the spirit of the work of Mormonism, as it is more commonly called by those who are not attached to the Church itself. It is announced that not only will the scattered members of the Church be brought together, but that a vigorous campaign for converts will be begun.

The members of the Church now in the city are John Henry Smith, one of the Twelve Apostles, of Salt Lake; F. S. Bramwell, president of the Montana mission, and George Young and A. D. Miller Jr., of Fremont county, Idaho, traveling missionaries. Already the organization has been started in Montana, and twelve Elders of the Church are now laboring in the state. There is a branch of 100 members at Lima, and another of 125 members at Anaconda, and around Gaylor and Madison county are several Mormon colonies where there will be thriving organizations soon, it is believed.

At a meeting of the county commissioners yesterday afternoon reports of the county officers were received and passed upon. Treasurer Lynch reported as follows:

Balances on hand Oct. 1, 1897:	
Current expense account...	\$1,992 32
Salary account.....	1,023 59
County school fund.....	838 33
State juror and witness fund..	1 492 75
State school fund.....	2 16
Bond account.....	68,330 18
Special account.....	2 16
Bond interest account.....	1 200 00
Special county school tax refund.....	20 84
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	\$74,981 30

RECEIPTS.

Salary account, liquor license.	\$ 1,800 00
Butcher license .....	62 50
Merchants' license (county clerk).....	275 00
Fines and forfeitures:	
Pauper account.....	40 00
L. E. Hall, county commissioner, refunds.....	20 50
Dr. W. F. Anderson, refunds..	5 00
Fees:	
County surveyor.....	4 75
T. P. Lewis, sheriff.....	317 77
County clerk.....	667 90
Miscellaneous.....	709 00
County recorder.....	808 70
Current expenses:	
Real estate redemptions.....	574 69
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Total receipts.....	\$ 5,303 31

Grand total.....\$50,284 61

DISBURSEMENTS.

Current expense:	
Warrants paid.....	\$ 394 75
Interest on same.....	14 65
Salary account:	
Warrants paid.....	4,439 82
County school fund:	
Warrants paid.....	434 50
State juror and witness fund..	4 90
Bond account:	
Warrants paid.....	19,755 33
Interest on same.....	925 38
County school tax refund.....	3 28
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Total disbursements.....	\$25,972 61

Balance on hand ..... \$54,312 00  
 Sheriff Lewis reported his fee collections for October at \$317.77.

County Clerk Dunbar reported the receipts of his two departments for October at \$1,657.15. The sum of \$677.90 represented district court fees and the balance incorporation, probate, marriage license and merchants' license fees.

Superintendent Whipple's October report for the county infirmary showed as follows: Number of inmates Oct. 1, 71; admitted, 9; discharged, 12; died, 1; present number of inmates, 67.