

Saturday, August 2, 1879.

## PEOPLE'S TICKET.

Commissioners to Locate University  
Land.L. S. HILLS,  
JOHN R. BOWERY,  
JNO. VAN COTT.Auditor of Public Accounts,  
NEPHI W. CLAYTON.Territorial Superintendent of Dis-  
trict Schools,  
JOHN TAYLOR.Commissioner of Legislative Assembly,  
JOSEPH F. SMITH.D. H. WELLS,  
W. W. CLAYTON,  
JOHN T. CAINE.Representative to the Legislative  
Assembly,  
JOHN JACOB.Selectman,  
E. M. WEILER.County Superintendent of District  
Schools,  
THEO. B. LEWIS.

RESIGNATION.

SALT LAKE CITY,  
July 19th, 1879.President John Taylor, his Twelve  
Apostles and Councilors.DEAR BRETHREN:—In consequence  
of the frequent absence from home of one of us, and the  
claims upon the time in other di-  
rections of both of us, which pre-  
vent us from bestowing that atten-  
tion to the business of editing the  
Deseret News, which it should  
receive, we respectfully tender to  
our respective Editors and  
Publishers of the DESERET  
EVENING, SEMI-WEEKLY and WEEKLY  
NEWS.Respectfully, etc.,  
GEO. Q. CANNON,  
BRIGHAM YOUNG.SALT LAKE CITY,  
August 2, 1879.

Editors Deseret News:

This resignation should have  
been forwarded to you for publica-  
tion before, but owing to a press of  
business has been neglected.JOHN TAYLOR,  
On behalf of the Council of the  
Twelve Apostles.JUDICIAL FALSEHOOD NUM-  
BER TWO.THIS second falsehood in Boreman's  
decision which we propose to con-  
sider is the following, in relation to  
the Executors:"They have assumed to decide  
that vast amounts of the property  
left by the testator as his, was not  
his property, and without asking  
the direction of any Court they  
have transferred such vast amounts  
of estate."There is no necessity to go over  
the ground again to explain the  
position which was occupied by  
President Young in relation to a  
large amount of Church property.  
It is well known that he held it in  
trust, and that it was not and can-  
not be considered as his property in  
his own right. Part of it is the  
Temple Block with the Church  
buildings thereon. We do not  
think any one, unless it is a  
mission judge, will have the hardi-  
hood to say that this was the pri-  
vate property of President Brigham  
Young, or of any other individual  
living or dead. The act of the ex-  
ecutors in transferring the Church  
property from the estate to Presi-  
dent Young's successor in office is  
well understood to be right, in ac-  
cordance with the instructions con-  
tained in the will, and performed  
on a basis greatly to the advantage  
of the heirs and legatees.But the Court not only brings  
this up as a charge against the ex-  
ecutors, but accuses them of doing  
it without authority, "without ask-  
ing the direction of any Court." In  
answer to this judicial falsehood we  
cite the bill of the Trustee-in-Trust  
for \$900,000.00 sworn to before  
a notary public, endorsed by two  
of the Executors, and which has  
already been published in their  
answer in the so-called "contempt"  
case. It is endorsed:"Approved and allowed, April  
10, 1878.  
E. SMITH, Probate Judge."This is attested by the seal of the  
Probate Court, and the signature  
of the Clerk.Seeing that Boreman in his de-  
cision accuses the Executors of  
"recklessness" after disregard of  
law throughout (the whole of his  
decision, "are we not justified, in  
view of those facts, in our denun-  
ciation of his extra-judicial, undig-  
nified and unjustifiable attack?  
And with this proof of his un-  
truth before us, in characteriz-  
ing his statement that the ex-  
ecutors had decided on this mat-  
ter of transfer, upon their own  
judgment," "without asking direc-  
tion of any Court," as judicial  
falsehood number two? The Probate  
Court is the tribunal which by  
statute is authorized to give judg-  
ment in the matter of the estates of  
decedents, and here is the sealed  
and attested approval and allow-  
ance of the Probate Court on this  
very action of the Executors, proving  
beyond doubt the "reckless-  
ness" of Boreman's personal assault  
on these gentlemen, and the prop-  
riety of his application to the  
statement of the words which form  
the heading to this article.Two of these falsehoods, only,  
have been exposed. There are  
more to follow.

A BOND ACCEPTED.

ARRANGEMENTS have been made  
by which President Taylor has  
given a bond covering the  
amount required to be turned over  
to the Receivers instead of the  
property itself. This being done the  
order of the Court for the impris-  
onment of the defendant has been  
discharged. The effect of this will  
be that when the main issue is  
tried, if the case should be ulti-  
mately decided against the defend-  
ant, he will have to turn over theproperty in dispute to the party ad-  
judged to be entitled thereto or pay  
the value thereof.Following is a copy of the stipu-  
lation entered into between the  
counsel on either side.In the District Court of the Third  
Judicial District of Utah, Salt  
Lake County.Emeline A. Young, et al.  
Plaintiffs,  
vs.  
George Q. Cannon, Albert Car-  
rington, Brigham Young, Executors,  
et al., and John Taylor, et al.  
Defendants.The defendant John Taylor,  
having delivered to said plaintiffs,  
an undertaking with satisfactory  
sureties to deliver over or pay the  
value of the property and assets  
which he is required to deliver to  
the receivers by order of  
this Court, made in this action, on  
the 30th day of July, 1879, and to  
make such delivery or payment to  
the plaintiffs and others entitled  
thereto, if final judgment be rendered  
in this action, therefore, it is  
hereby stipulated in behalf of said  
plaintiffs, that the warrant to carry  
said order into effect be discharged,  
and that said plaintiffs will not en-  
force the execution of said order  
against said Taylor.

Dated August 2d 1879.

TILFORD & HAGAN,  
RUTHERFORD & MOBRIDE,  
Plaintiffs' Attorneys.RICHARDS & WILLIAMS,  
AUBRELL MINNER,  
W. N. DUNSMITH,  
Att'ys for Def't Taylor.TERRITORY OF UTAH,  
County of Salt Lake, ss.I, C. S. HILL, Clerk of the Third  
Judicial District Court, of Utah  
Territory, do hereby certify that  
the foregoing is a full, true and cor-  
rect copy of the original stipulation  
in regard to discharge of warrant,  
as to said defendant Taylor, in the  
above entitled action, filed in my  
office, Aug. 2, 1879.Witness my hand and  
the seal of said Court, at  
Salt Lake City, this 2d day  
of August, A. D. 1879.C. S. HILL, Clerk.  
By P. B. HILL, Deputy Clerk.The following is from the record  
of the Third District Court:The plaintiffs having signified  
that they are satisfied with the ex-  
ecution of the warrant of commit-  
ment issued herein Aug. 2, 1879, on  
the order of contempt made and  
entered herein July 31, 1879, against  
defendant John Taylor, the same  
as to him is hereby ordered dis-  
charged and satisfied.This arrangement is precisely  
what the defendant offered in his  
original answer to the complaint,  
but which was refused by the  
Court. We quote from the docu-  
ment, as previously published in  
this paper:"If it be necessary to secure the  
said plaintiff in her supposed claim  
against any danger of the supposed  
fraudulent conduct of this defend-  
ant, or the aforesaid Church, such  
supposed danger could be avoided  
by ample bond, with good sureties,  
which will be forthcoming when  
required."After all this bother and trouble  
designed to squeeze the defendant  
into handing over property or its  
equivalent which of right belongs  
to the Church, the bond is accepted.  
But mark this. When counsel for  
the defendant yesterday offered to  
give a bond in lieu of the property,  
Judge Boreman peremptorily re-  
fused and could find nothing in the  
law which gave him any author-  
ity to do so. To day, just as  
soon as counsel for the plaintiff  
consent to the arrangement, he can  
find authority enough to endorse  
it and does it without a grunt.This stipulation will no doubt  
save much unpleasantness that  
would likely have ensued if the  
order for imprisonment had been  
carried out. There are very few  
persons in the community who en-  
dorse the arbitrary action of Judge Boreman,  
and they are the persistent enemies  
of the people here. One lawyer of  
some eminence in the profes-  
sion remarked, yesterday, that he  
would much rather be in the posi-  
tion of the defendant than the  
Judge, and would sooner go to  
prison for an indefinite period than  
be the author of such a decision as  
Boreman's.The Executors were this after-  
noon making similar arrange-  
ments as to bonds, and we  
suppose we may consider the  
"contempt" case as concluded.The suit on the main issue will  
now most likely go on without any  
of these side issues and guerilla  
skirmishes, and may God give the  
victory to the right!

BY TELEGRAPH.

THE WORKER UNION TELEGRAPH LINE.

EASTERN.

The Stage.

NEW YORK, 2.—Yellow fever in  
the south causes many changes in  
manager's plans for the coming  
season.O'Grady Carle returned to Eng-  
land on Wednesday, after complet-  
ing arrangements for the produc-  
tion of "The Girl of the Year," new  
opera at the 6th Avenue in Decem-  
ber, should Sullivan's present ill-  
ness allow its completion.It is stated that Jno. T. Ford, one  
of the few American managers who  
paid a royalty for "Pinafore," will  
be Sullivan's agent in America.It is stated in London that Sarah  
Bernhardt's American engagement  
has put Orlatoze, Got, Coquelin,  
and other Sully members of the  
Comedie Francaise, in the notion  
of coming.Southern begins in September at  
the Park with "Sam." He will  
bring out "Orpheus and Eurydice,"  
supported by Julia Steward, regard-  
ed as the best soprano in England.  
Southern's western tour will include  
San Francisco.The managers and agents as-  
sociation meeting, to take action  
against the withdrawal of privi-  
leges of the "Theatrical Companies"  
has been postponed to September.  
The railroads show signs of weak-  
ening, and the Baltimore & Ohio  
Railroad has already promised to  
return to the old custom.Miss Adelaide Belgrade appears at  
the Lyceum August 16, as Rosalind.On the 25th Marion Darcy makes  
her debut at the Park in the "Liv-  
ing Statue."Among the persons engaged for  
Days are May Bowers, Henry  
Clayton and Margaret Lannan,  
an Alabama lady.Edie and Annie Ellier, daugh-  
ter of the veteran manager John,  
have been engaged for the Madison  
Square.Marie Booth, daughter of J. B.,  
appears next season in a solo  
comic play by J. B. Booth.A. Adelaide Thorne will be leading  
lady in Gus Phillips' New York  
comedian which will play Day'snew arrangement of Under the  
Gaslight.The Tracy Titus Opera Company  
have secured the right for the new  
American opera "Bonnie of Birl-  
ton."At Tony Pastor's, a new bur-  
lesque is to be produced called "No  
Jews Wanted," or "Manhattan  
Beach in Trouble."Appleton, manager for Frederick  
Paulding, has purchased the Ameri-  
can rights to Tom Taylor's power-  
ful play, the "Applauder," in which  
Paulding will go starring.The original comic opera "Ca-  
dets," will be produced by the  
Fran Company the coming season.  
The Madison Square opera with  
a comedy drama in four acts, by  
Douglas Benton called "Gray-  
morton."Harry Sargent, Modjeskas' man-  
ager, telegraphs from London that  
he has engaged Geo. S. Kaighn and  
wife for a European tour, and that  
they made a great hit in Birming-  
ham in their specialties.

Unavoidable Notoriety.

ST. LOUIS, 2.—Mayer Goldsell,  
who has obtained considerable no-  
tority in connection with the af-  
fairs and failure of the Broadway  
Savings Bank, and who was indicted  
about two weeks ago for receiv-  
ing money known to have been  
embezzled, appeared before the  
court of criminal correction this  
morning and gave a bond of \$17,000  
to answer the charge against him.

Both Drunken.

CHICAGO, 2.—William Fitzpat-  
rick and Edward Ryan, two dock  
hands, last night, while engaged in  
a fight on the stairway of a build-  
ing just over the river on Clark  
Street, were precipitated over the  
railing to the dock, and thence into  
the river.

Yellow Fever Notes.

MEMPHIS, 2.—Six new cases are  
reported to the Board of Health.  
Two deaths occurred since last night  
Berj. Adams, whose death is re-  
corded, had the fever last year,  
and said defendant Taylor, in the  
above entitled action, filed in my  
office, Aug. 2, 1879.Cameron has quietly collected  
arms and ammunition from the  
gun store.The last passenger train on the  
Louisville and Nashville R. R. left  
last night. No mails are received  
by that route this morning.The fever will be declared epi-  
demic to-night.

FOREIGN.

GREAT BRITAIN.

Foreign Notes.

LONDON, 2.—Six British ironclads  
have arrived in Basia Bay.The Italian Minister of the Inter-  
ior joins the French fleet to  
watch unceasingly the known in-  
vestigators of demonstrations and  
disorders, and prevent any demon-  
stration of Italian irredentia party.A powder magazine at Durago  
exploded, killing 14 persons.The Austrian government and  
Emperor approve of the scheme for  
connecting Austria and the Swiss  
railways by a tunnel through  
Mount Arlberg.In consequence of the threaten-  
ing movements of the French  
troops, a large number of new rifles  
have been distributed among the  
Greek troops and six new batteries of  
artillery are completely equipped.In the House of Commons to-  
day, the Chancellor of the Exche-  
quer ridiculed the Paris Monitor  
statement that England has re-  
fused to help the Sultan of  
Morocco to prepare for a conflict  
with Spain.Without F. Raymond, who ab-  
sconded from America and was re-  
ported here, has been released,  
American parties have refused to  
proceed with the prosecution. Ray-  
mond is dying of consumption.The Warwickshire miners have  
declared that the award of the un-  
der in the dispute between them-  
selves and the masters means star-  
vation.Proceedings of the court martial  
in the case of Lieut. Carey have  
been quashed informally.It is stated that the Capital of  
Cashmere, ordinarily containing  
300,000 inhabitants, has only 30,000  
since the famine.In view of the success of the So-  
cialists in Breslau, the government  
is considering the practicability of  
making the anti-social law more  
vigorous.It is believed that the Speaker of  
the House of Commons will resign  
at the end of the present session  
and probably be succeeded by Bid-  
ley, under Secretary of State for the  
Home Department.The Sporting Life understands  
that Lord and a friend had  
£5,000 on Parole for the Goodwood  
cup race.A dispatch from Simla says:  
There has been no cholera among  
the Hindus for several weeks, but  
recently among the Seventeenth  
foot, though both regiments suffer  
from cholera in the Peshawar  
Valley.

CANADA.

Further Damage from the Fire.

HAMILTON, Ontario, 2.—The di-  
viding wall between McInnes and  
Furness and the eastern wall fac-  
ing John Street block is a complete  
ruin. The job will cost \$100,000.  
The John Street wall will  
have to be taken down. McInnes  
block cost \$150,000, and is insured  
for \$165,000. Turner, Livingston  
& Co's stock, valued at \$40,000 to  
\$50,000; St. John's Block, lost to  
building and stock estimated at  
\$80,000. At the time the walls  
fell, James Ivory, John Seymour  
and John Nib were firing gas pipes  
and were buried in the debris. The  
Bank of Hamilton, Provident and  
Loan Association and Merchant's  
Bank lost only some office furni-  
ture.A certain lawyer was compelled  
to apologize to the court. With  
stately dignity he arose in his place  
and said: "Your Honor is right, and  
I am wrong, as your honor gener-  
ally is." There was a dazed look  
in the judge's eye, and he hardly  
knew whether to feel happy, or  
fine the lawyer for contempt of  
court."Young man," said a stern old  
professor to a student who had been  
charged with kissing one of his  
classmates, "Young man, don't get  
into that habit. You'll find that  
kissing is like eating soup with a  
fork.""How so, sir?" asked the  
student. "Because," answered the  
stern old professor, "you can't  
get enough of it."

P. P. F. F.

Piero's Pleasant Purgative Pel-  
lets—the little giant cathartic. Sold  
by druggists. d w i e

ESTRAY NOTICE.

I HAVE in my possession:

One bay HORSE, 5 or 6 years old, brand-  
ed on left hind shoulder.If not claimed within ten days from date,  
will be sold at the estray pound in East  
Deseret, Morgan Co., on August 10, 1879,  
at 10 o'clock p. m., to the highest responsible  
bidder.L. W. POSTER,  
Forterville, July 20th 1879.

ESTRAY NOTICE.

I HAVE in my possession:

One bay MARE, white in face, white feet,  
8 or 10 years old, on right shoulder.If not claimed within ten days from date,  
will be sold at the estray pound in East  
Deseret, Morgan Co., on August 10, 1879,  
at 10 o'clock p. m., to the highest responsible  
bidder.L. A. RILEY,  
Nephi, July 21, 1879. (Kvudkeeper.

## SALT LAKE THEATRE!

MONDAY, AUGUST 4, 1879.

Grand Operatic Entertainment!

First appearance in the city of the  
brilliant and successful young  
Prima Iguala.

## MISS AMY SHRAWIN.

ASSISTED BY

## MRS. MURTHA PORTEOUS!

(Formerly Miss Lizzie Murphy.)

And a host of talent—Messrs. McAllister,  
Stevens, Charles, Chandler and Jones and  
some ladies and gentlemen of the  
Philharmonic Society.Have kindly volunteered their services.  
PROFESSOR LAYTON will preside at the  
piano. A good and efficient orchestra  
will be in attendance.

## PROGRAMME:

## Part I.

1. Overture for Orchestra.

2. "The Girl who brought," from  
"Marianne," Walcott.3. English song, "The surprise,"  
Virginia Gabriel.

MISS AMY SHRAWIN.

4. Tenor solo, "Never More," Tito Matted.

5. English song, "The surprise," Ardit.

6. English song, "The surprise," Ardit.

7. Grand Cavatina from "Sommambula,"  
"Come Per Me Sereno," Bellini.

MISS MURTHA PORTEOUS.

8. Operatic selections for Orchestra.

9. Scotch Ballad, "And Robin Gray,"  
Chandler, F. H. Burnett.10. Grand Cavatina from "Roberto il Dia-  
dumo," Meyerbeer.11. The great sensational "Valse Quatre,"  
Vogel.12. Irish Ballad, "The Last Rose of sum-  
mer,"

MRS. MURTHA PORTEOUS.

13. To conclude with the grand  
"SEVEN YEARS IN EXILE."Fourth Act from "THE VIOLET," in  
English, with full chorus, organ,  
and all stage effects.

14. Operatic selections for Orchestra.

15. Operatic selections for Orchestra.

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## VALUABLE INFORMATION

To those interested, it was to inform  
the West generally that we prepared to  
make arrangements for buying and sell-  
ing the highest market price for  
Wool, Hides, Tallow and No. 1 article  
of Sheep, Hides, Tallow, etc. Also  
deal in Hides, Tallow, Hides, Tallow,  
etc. for which we pay liberal prices.  
Corner of South and East Temple  
Streets, Salt Lake City, S. R. CLAWSON.

## FOR WOOL

Wool, Hides, Tallow and No. 1 article  
of Sheep, Hides, Tallow, etc. Also  
deal in Hides, Tallow, Hides, Tallow,  
etc. for which we pay liberal prices.  
Corner of South and East Temple  
Streets, Salt Lake City, S. R. CLAWSON.