

Chas. Olawson 208; A. E. Merriam 192; scattering 11.

Selectman—Sven O. Neilson 1003; Jonas H. Erickson 217; Rees R. Llewellyn 115; scattering 43.

County Clerk—John Reid 1212; James M. Robbins 213; scattering 5. Assessor—Canute W. Peterson 1043; O. F. Coolidge 222; Abraham Johnson 149; scattering 11.

Prosecuting Attorney—Ferdinand Erickson 958; C. E. Kofford 218; Wm. K. Reid 264.

Coroner—J. B. Roper 1207; W. W. Woodring 220; scattering 1.

Recorder—W. D. Candland 1155; E. J. Conrad 223; scattering 36.

Sheriff—James Burns 1162; Ras. Clawson 209; scattering 55.

Surveyor—John H. Hougaard 1114; H. S. Kerr 204; scattering 3.

Treasurer—Geo. B. Cox 1091; Ferd. Alder 218; J. B. Cox 127.

Accompanying the returns of Sanpete County was a letter from Sven O. Nielsen, stating that he had been voted for as Sven Nielsen and Sven O. Nielsen. The latter was his right name, but he frequently omitted the O from his name, and was also known in the county without it. The board decided to count the vote for him.

In Sanpete County there was also a proposition to change the county seat to Ephraim or to Mount Pleasant.

The present county seat is Manti. The vote on this question stood as follows: For a change to Ephraim 195; for a change to Mount Pleasant 599; for no change 498. There were three votes for a removal to Spring City. As it takes a two-thirds vote to change, the county seat will remain at Manti.

At the close of the canvass of Sanpete County, an adjournment was taken till Monday Aug. 25 at 10 a.m.

There was another step taken in the election contest Aug. 25, but it was not unexpected. The "Liberals" do not want the ballots examined as to whether or not they were actually cast for J. H. Rumel instead of J. H. Rumel, Jr. When the board of canvassers met this morning, they were served with a writ which enjoins them from referring to the ballot box to determine the question, at least till the court passes on the matter. The following is the document upon which the writ was issued:

In the District Court in and for the Territory of Utah, in the Third Judicial District.

Henry Page, Plaintiff, vs. Elijah Sells, J. W. Judd, Hugh Anderson, W. W. Riter and Elias A. Smith, defendant.

Henry Page, the complainant, being duly sworn, says that he is a citizen and qualified elector, and resides in the city of Salt Lake, in the County of Salt Lake and Territory of Utah; that at the election of county officers held in said county on the 4th day of August, 1890, he was a candidate and was voted for for the office of recorder of said county; that John H. Rumel and John H. Rumel, Jr., being different persons, each residing in said county, each also received votes for said office; that Elijah Sells, J. W. Judd,

Hugh Anderson, Elias Smith and W. W. Riter comprise the Board of Canvassers for Utah Territory, whose duty, among other things, is to canvass and declare the votes cast for the office of recorder of said county, at said election; that the duty and power of said board is purely ministerial; that the official returns from the several polling precincts in said county are now before said Board of Canvassers, each duly certified by the precinct officers who conducted said election; that such certified returns show that votes were cast at said election for this deponent and for John H. Rumel and for John H. Rumel, Jr., for said office of county recorder; that no irregularity or discrepancy appears upon the face of any of said returns as to the number of votes cast for said office or as to the number of votes cast for this deponent or for J. H. Rumel or J. H. Rumel, Jr., or as to the number of votes returned for any person therefor; that notwithstanding these facts, the said Elijah Sells, J. W. Judd, Hugh Anderson, W. W. Riter and Elias Smith, as such Board of Canvassers, refused to canvass and count the votes for said office as they appear upon the face of said duly certified returns, but are proceeding to recount the ballots from certain precincts only of said county as to said office, to wit: Poll No. 1, in precinct No. 1, Salt Lake City, and East Mill Creek and Butler, and are proceeding to ascertain the results from such account of ballots from a part only of the precincts of said county, and in this deponent charges that said board is exceeding its jurisdiction and acting illegally; that deponent is informed and so alleges, that upon the face of said returns, which are in all respects regular and correct, he has a plurality of all the said votes cast for said office, and is entitled to a certificate of election, but that said board, by its illegal action, is jeopardizing his title thereto; that deponent has demanded of said board that it canvass and count the votes returned for said office as they appear upon the face of the duly certified returns now before said board, which said board has failed to; that said board of canvassers has not yet adjourned nor completed its labors, but is still in session.

Wherefore deponent asks a writ of mandamus commanding said board of canvassers to count the returns and declare the result of said election for said office of county recorder, as shown and certified to it by the proper precinct officers, giving to each of said three persons the correct number of votes shown by said returns to have been cast for each, and declare the result accordingly, and this without any reference to or recounting of any ballots.

HENRY PAGE.
Sworn to and subscribed before me this 23d day of August, 1890.

[SEAL] ELIJAH SELLS,
Secretary of Utah Territory.

Upon this affidavit, Judge Zane issued an order to the board to canvass the returns as demanded, or to appear in the district court on Thursday, August 28, at 10 a. m.,

and show cause why the same has not been done.

Upon the service of the foregoing papers, the opinion of Judge Judd, as published in the News of Saturday, was ordered filed in the district court as the answer of the board of canvassers.

Arthur Brown will file a supplemental answer this afternoon and will conduct the case for the board.

The following counties were then canvassed:

SEVIER COUNTY.

Collector—J. H. Wells 413; Wm. H. Rex 124.

Selectman—A. W. Bohannon 430; Henry Tuft, 118.

County Clerk—A. Hopples 425; N. E. Clemenson 120.

Assessor—W. H. Robinson 425; Wm. Rex 125.

Prosecuting Attorney—T. J. Stewart 421; Henry McKenna 125.

Coroner—Andrew Gilbert 430; August Nielsen 120.

Recorder—Samuel G. Clark 420; Byron Kesler 120.

Sheriff—John W. Coons 428; Jappa Nielsen 120.

Surveyor—John Johnson 429; Wm. H. Shock 120.

Treasurer—James M. Pitterson 430; A. Bertheson 118.

SUMMIT COUNTY.

Commissioners to locate University lands—F. A. Mitchell 365; I. M. Waddell 365; R. A. Ballantyne 360.

Selectman—Wm. H. Smith 920; Alma Eldredge 382; scattering 2.

County Clerk—J. S. Salmon 901; J. Alma Smith 401.

Assessor and Collector—Ohrer C. Lockhart 906; J. G. Lambert 395; scattering 2.

Prosecuting Attorney—Wilson I. Snyder 874; John Pack 413.

Coroner—Charles M. Wilson 897; Jesse Burbidge 404.

Recorder—Joseph M. Cohen 799; John Boyden 465; scattering 2.

Sheriff—John L. Weber 857; E. M. Allison 431.

Surveyor—David Dennis 895; E. H. Rhead 409.

Treasurer—Alonzo B. Richardson 893; George Beard 409.

The above figures do not include Poll No. 7, Park City, the returns of which failed to reach the board of canvassers. The result in the county, however, will not be affected by the vote of that poll. The canvassers sent out a request for the returns, so that the full vote could be canvassed.

TOOELE COUNTY.

Commissioners to locate University Lands—F. A. Mitchell, 321; I. M. Waddell, 321; R. A. Ballantyne, 321.

County Clerk—Elijah Spray, 318; James B. Hickman 104; scattering 1.

Recorder—Thomas Spiers, 316; John T. Gundry, 109; scattering, 2.

Assessor and Collector—Thomas Williams, 318; N. A. Scribner, 110.

Prosecuting Attorney—Alvin J. McCuiston, 322; W. O. Williams, 106.

Sheriff—Wm. R. Gillespie 315; John W. Carter 108; scattering 4.

Treasurer—Geo. F. Richards 304; Richard Gundry 111; scattering 4.

Surveyor—Alonzo J. Stookey 316; Chas. A. Herman 105.