

WM. FOTHERINGHAM RE-LEASED.

THE "COPPER ACT" APPLICABLE TO UNITED STATES PRISONERS.

It having been learned on Saturday afternoon that Judge Zane desired to go away yesterday morning, arrangements were made to have the Fotheringham habeas corpus case brought up on Saturday evening, instead of this morning as at first intended.

The section of the Territorial law providing for a deduction of time from the sentence for good behavior is as follows: "For each month of the imprisonment of the convict, commencing on the first day after his arrival at the Penitentiary, during which he has not been guilty of a violation or infraction of the rules of discipline thereof, he shall be allowed a deduction of five days from the period of his sentence."

The petitioner's counsel held that the Territorial law was applicable in this case, and asked that the remission be granted. They argued that where there was a local law that should be applied, and in the event of there being no local provision, the following section of the United States Statutes was applicable:

"All persons who have been or shall hereafter be convicted of any offense against the laws of the United States and confined, in the execution of the judgment or sentence upon such conviction, in any prison or penitentiary of any State or Territory which has no system of commutation for its own prisoners shall have a deduction of five days in each and every calendar month during which no charge of misconduct shall have been sustained against each severally, who shall be discharged at the expiration of his term of sentence less the time so deducted, and a certificate of the warden or keeper of such prison penitentiary of such deduction shall be entered on the warrant of commitment."

Mr. Varian, for the government, argued that the Utah Penitentiary was a Territorial prison only in the sense of its being located within a Territory, and was actually a United States prison, under exclusive control of the government. He contended that the Copper act of the Territory was not applicable to United States prisoners, because it was not within the power of the Territorial Legislature to commute sentences imposed for an offense under a United States law.

Judge Zane, in rendering his decisions held that though a prison may be owned by the United States, if located within a Territory and used for the confinement of Territorial prisoners, it was to be considered a Territorial prison. It was the evident intention of Congress to give United States prisoners the same benefits for good behavior that were allowed to Territorial prisoners; and in the absence of a local statute, to give the commutation provided for. The petitioner was therefore held to be entitled to the benefits of the Copper act.

In accordance with this decision, Brother Fotheringham's sentence expired yesterday, and yesterday morning he was apprised of the fact, and released by the Warden of the Penitentiary.

At the time of Brother Fotheringham's sentence a fine of \$300 was imposed, but Judge Boreman, in pronouncing judgment, did not order that the prisoner be committed until the fine was paid. No imprisonment, therefore, could be inflicted for a non-payment of the fine, which can only be collected by the issuance of an execution for the government as in the case of debt.

UTAH COUNTY TEACHERS' ASSOCIATION.

IV DAY.

Editor Deseret News:

Methods of teaching geography and history were presented as follows: Chart and I. Reader by Edith Davis, of Lehi; II. Reader by A. J. Stewart, Benjamin; III. Reader by Laura Larson, Provo; IV. Reader by D. E. Harris, Payson; V. Reader by J. P. Terry, Pleasant Grove.

In connection with class exercises, each teacher gave a diagram showing the plan and steps taken.

The last half hour of the forenoon was spent in discussing the questions: 1st—Should the V. Reader class be required to draw maps exclusively from memory? And, 2nd—To what extent should fiction and stories from pictures be encouraged? The former question was answered in the affirmative. It was the sense of the Association that true stories and what can be seen in, or

reasonably inferred from pictures be the general rule.

From 2 to 3 p. m. Prof. Booth lectured on logic. The speaker prefaced his remarks by showing the great responsibility resting upon a teacher. There is a dignity connected with teaching and a premium on professional labor which we should strive to maintain.

Logic is a method of reasoning that will admit of no doubt. It is useful in separating truth from error and in aiding brevity. The teacher should be logical in all his works. The speaker contrasted by illustration logic and sophistry, showing that, by the inexperienced, the latter is liable to be taken for the former. Although great benefit accrued from the study of logic this science cannot apply to things infinite, inasmuch as our reasoning is finite.

In the evening the usual entertainment was held, at which Jas. Dwyer, Esq., of your city, addressed the teachers.

D. HARRIS, Cor. Sec. pro tem.

The worst kind of lies are those which have a semblance of truth about them, and the worst kind of liars are those who reduce the practice to a science, and render it more plausible than the truth.

The toy pistol is again getting in its deadly work. In Chicago eleven boys between ten and fourteen years of age have died from lockjaw, caused by wounds received from the toy pistol recently. Since the statute was enacted prohibiting the sale of the article in Utah, no fatalities from that cause have occurred in this Territory.

What we all need is to have some one aim, some one ruling purpose, and to seek that first and always. This gives unity to the soul and keeps it from being squandered in secondary and unessential matters. And, as it is essential to have one general purpose, so at every moment in life one thing becomes the nearest duty, and this is paramount to all others.

Some details of a terrible flood in China are given in the dispatches. It swept ten thousand people out of existence, inundating whole villages. The destruction of property is proportionate to the loss of life. It is a large-scale calamity and has rendered an immense tract of country desolate. The sufferings of the hapless survivors, who are left to the horrible fate of starvation, must be appalling.

Georgia is said to be the most storm-beset state of the Union. Last year it was afflicted with thirty-eight tornadoes. They have a regular defined path, out of which they seldom move. South Carolina and Alabama follow next in order, and the general trend of the storms shows that they have their origin in the Gulf of Mexico, and follow water-courses and deforested lands across the three States named until they reach the Atlantic.

Wealth, and fame, and high position are often the signs of qualities commanding our highest respect. They frequently speak of industry, economy skill, talent, intellect, wisdom. As such they are deserving of honor. But when we honor them, not as signs but as realities, not for what they represent, but for what they are, when we crave them, and struggle for them, and resolve to gain them at any price, even at the sacrifice of the very qualities for which they stand, then we are taking the very life of real respectability.

MARRIAGES.

BALLIF-ANGELL.—In the Logan Temple, July 29th, Mr. Serge F. Ballif, of Logan, and Miss Nora E. Angell, daughter of Truman O. Angell, of Salt Lake City. No cards.

DEATHS.

REES.—In the Ninth Ward, Salt Lake City, August 3rd, 1885, of tumor in the stomach Mary, wife of John W. Rees. Deceased was born October, 1813, in Glamorganshire, South Wales; was baptized into the Church of Jesus Christ of Latter-day Saints December 18th, 1848, by Elder Jonathan Isaac.

KNOWLIDEN.—August 4th, 1885, at the residence of her son, Geo. H. Knowlden, 545 E Third South street, this city, Rachel, relict of Thomas Bright Knowlden, of London, England, at the ripe age of 86 years. She died as she lived, a true and faithful Latter-day Saint.

STENHAVEN.—Sister Kirsten Marie, wife of J. C. Stenhaven, of Goshen, Utah, departed this life July 22, 1885, after several years severe illness. She leaves a husband and several children and many thousand friends to remember the kindness of her heart for evermore.—COM.

PRINGLE.—In the 21st Ward of this city, August 4th, 1885, Oscar Patrick, son of Alexander and Elizabeth H. Pringle, born July 31, 1885.

GOLIGHTLY.—In this City, August 2nd, 1885, Mary Bonsey Golightly, widow of the late Richard Golightly; born at Worbleston, Surrey, England, January 28th, 1830.

GREEN.—In this city, August 6, 1885, Mrs. Mary Ann Green, mother of Mrs. M. G. Lapham; born January 23, 1813, at Wordsley, Kingswinford, Staffordshire, England.

WHITTAKER.—At Brighton, Salt Lake County, August 7, 1885, of pneumonia, Mary Elizabeth, daughter of David M. and Mary A. Whittaker, aged 4 years, 4 months and 4 days.

HILTON.—In this city, August 9th, 1885, of cholera infantum, James D., son of Jas. D. and Christina E. Hilton; born February 7th, 1884.

LEWIS.—At Sandy, Salt Lake County, August 7th, 1885, of scarlatina, John S., son of William and Eliza Lewis; aged 11 months and 7 days. Mill. Star please copy.

MORRIS.—At Almy, Uinta County, Wyoming, July 30th, 1885, Edwin Morris, from injuries caused by an explosion of gas in No. 4 mine, Almy. Deceased was born at Sutton in Ashfield, Nottinghamshire, England.

The curative power of Ayer's Sarsaparilla is too well known to require the specious aid of any exaggerated or fictitious certificate. Witnesses of its marvelous cures are to-day living in every city and hamlet of the land. Write for names if you want home evidence.

ITS WONDERFUL EFFICACY. No remedy ever discovered possesses the wonderful efficacy of Syrup of Figs. The certainty with which it expels all impurities of the system, at the same time giving tone to the Liver, Stomach and Bowels, places it ahead of all other remedies, to say nothing of its being more easily taken. It is selling very rapidly. Z. C. M. I. Drug Store, Salt Lake City, Wholesale Agents.

Do not be deceived; ask for and take only B. H. Douglass & Sons' Capsicum Cough Drops for Coughs, Colds and Sore Throats. D. S. and Trade Mark on every drop.

HAGAN'S Magnolia Balm

is a secret aid to beauty. Many a lady owes her freshness to it, who would rather not tell, and you can't tell.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION: One brown three year old GELDING, partly halter broke. No brands visible. Which if not claimed within ten days will be sold to the highest responsible bidder, at public auction, at the estray pound, Fillmore, at 10 o'clock a.m., Thursday, August 13th. J. H. MACE, District Poundkeeper. Fillmore City, Aug. 3d, 1885.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION: One light red STEER, 2 years old, white face, belly and legs, branded HM combined on left hip, crop and split in left and crop and underhalf crop in right ear. If not claimed and taken away by August 20th, 1885, will be sold at 9 o'clock a.m. at the Nephi Estray pound. PETER SUTTON, District Poundkeeper. Nephi, August 10th, 1885.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION: One dark gray HORSE with leather halter, with 1 1/2 inch rope attached, also a buckskin lasso at end of rope. The owner can obtain it by paying expenses. CALEB LAKEK, One mile north of Hot Springs, Davis Co., Utah.

SUMMONS.

In the Probate Court in and for Salt Lake County, Utah Territory. Harriet Gray, Plaintiff, vs. Peter Gray, Jr., Defendant.

The People of the Territory of Utah send Greeting:

To Peter Gray, Jr., Defendant.

YOU ARE HEREBY REQUIRED TO appear in an action brought against you by the above-named plaintiff in the Probate Court, of the County of Salt Lake, Territory of Utah, and to answer the complaint filed therein within ten days (exclusive of the day of service) after the service on you of summons—if served within this county; or, if served out of this county, but in this district, within twenty days; otherwise within forty days. The said action is brought to obtain a decree from this court dissolving the marriage contract existing between said plaintiff and you, on the ground of desertion and wilful neglect to provide plaintiff with the common necessities of life, and plaintiff asks for the care and custody of their children, issue of said marriage. And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to this court for the relief prayed for and cost of suit.

Witness, the Hon. Elias A. Smith, Judge, and the seal of the Probate Court of Salt Lake County, Territory of Utah, this 28th day of July, in the year of our Lord one thousand eight hundred and eighty-five. JOHN C. OUTLER, Clerk. By H. S. CUTLER, Deputy. W 61

Forewarned Forearmed

of danger by the condition of your blood, as shown in pimples, blotches, boils, or discolorations of the skin; or by a feeling of languor, induced, perhaps, by inactivity of the stomach, liver, and kidneys, you should take Ayer's Sarsaparilla. It will renew and invigorate your blood, and cause the vital organs to properly perform their functions. If you suffer from

with Ayer's Sarsaparilla, there need be no fear of Dyspepsia, Rheumatism, Neuralgia, Salt Rheum, Tetter, Eczema, Catarrh, Liver troubles, or any of the diseases arising from Scrofulous taints in the blood. Geo. Garwood, Big Springs, Ohio, writes: "Ayer's Sarsaparilla has been used in my family for a number of years. I was a constant sufferer from

Rheumatism, or Neuralgia, a few bottles of Ayer's Sarsaparilla will relieve and cure you. Alice Kendall, 218 Tremont st., Boston, Mass., writes: "I have been troubled with Neuralgia, pain in the side, and weakness, and have found greater relief from Ayer's Sarsaparilla than from any other remedy." J. C. Tolman, 336 Merrimack st., Lowell, Mass., writes: "In no other remedy have I ever found such a happy relief from Rheumatism as in

Dyspepsia, but Ayer's Sarsaparilla effected a permanent cure. Seven years ago my wife was troubled with Goitre: two bottles of Ayer's Sarsaparilla cured her, and she has never had any return of the disease. I regard this preparation as the best medicine in use for the blood." B. Barnard, 75 Adams st., Lynn, Mass., writes: "For many years I suffered terribly from Indigestion, Dyspepsia, and Scrofula. Almost hopeless, I took Ayer's Sar-

Ayer's Sarsaparilla

saparilla." It instils new life into the blood, and imparts vitality and strength. Being highly concentrated, it is the most economical blood purifier.

and am a well man to-day." Be sure and get Ayer's Sarsaparilla, the most thorough and effective blood purifier. The best and the cheapest.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A. For sale by all druggists. Price \$1; six bottles for \$5.

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LEGAL NOTICE.

In the Probate Court of Tooele County, Utah Territory.

In the matter of the Estate of Reece Davis, deceased. NOTICE IS HEREBY GIVEN BY THE undersigned, Administrator of the Estate of Reece Davis, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within four months after the first publication of this notice, to Joseph Davis, at his residence in Ophir, Tooele County, Utah.

JOHN DAVIS, Administrator of the Estate of Reece Davis, deceased. Dated August 4th, 1885. w 4w

ESTRAY NOTICE.

I HAVE IN MY POSSESSION: One sorrel MARE 2 years old, branded A on left shoulder. One brown MARE, 4 years old, branded C or C and a horizontal T on left shoulder, 2 with a stroke over it on left thigh. One grey (flea-bitten) HORSE 10 years old, branded W, and a blotch brand beside it on left thigh. Which if not claimed by August 18, 1885, will be sold at 9 o'clock a.m. at the Nephi estray pound. PETER SUTTON, District Poundkeeper. Nephi, August 8th, 1885.

NOTICE TO CREDITORS.

Estate of James Robson, Deceased. NOTICE IS HEREBY GIVEN BY THE undersigned, Administratrix with will annexed, of the Estate of James Robson, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within four months after the publication of this notice to the said Administratrix, Elizabeth B. Robson, 11th Ward, Salt Lake City in the County of Salt Lake. Dated at Salt Lake City, May 28, 1885. ELIZABETH B. ROBSON, Administratrix with the will annexed, of the Estate of James Robson, deceased. w 4w

ESTRAY NOTICE.

I HAVE IN MY POSSESSION: One bay MARE, about eight years old, white stripe in face, left hind foot white, she has a sore in the lower part of her breast, and it looks like she had run against the end of a pole, it is badly hurt, she has shoes on all four feet, and a halter on, and is branded S J L on left thigh, and has shortish tail and collar marks. If the above described animal is not claimed within ten days from date will be sold at the city pound, Lehi at 1 o'clock p.m. on Tuesday the 11th day of August, 1885. LOREN OLMSTEAD, City Poundkeeper. Lehi City, Aug. 1, 1885.