

THE DAILY HERALD

Salt Lake City, - - Utah.

WEDNESDAY, - - - MARCH 18, 1885. THE DAILY HERALD is published every morning, Mondays excepted, at THE HERALD BLOCK, corner West Temple and First South Streets, Salt Lake City, by THE HERALD PRINTING and PUBLISHING COMPANY. Subscription price, \$10.00 per annum, postage included; parts of the year at the same rate. To weekly subscribers, collections made by carriers 25 cents a week.

THE SEVEN-DAY HERALD is published every Wednesday and Saturday morning, at \$3.00 a year; six months, \$1.75; postage included.

THE WEEKLY HERALD is published every Thursday morning at \$2.00 a year; six months, \$1.25, postage included.

ADVERTISERS will confer a favor by forwarding information to this office when their papers are not duly delivered. This will greatly aid us in our efforts to determine where the fault lies.

JUDGE EMERSON.

Associate Justice Phillip H. Emerson having tendered his resignation and the same having been accepted, there is a vacancy on the Supreme Court bench, and the First District is without a judge. Emerson was, by years, the oldest Federal judge in the Territory, having been on the bench, we believe, twelve years. Since he came there have been many changes in the judiciary, judges, district attorneys and marshals having come and gone, but he has hung on through the several administrations and now takes advantage of the opportunity of doing himself the credit of resigning. It is true he could not hope for re-appointment, but all the same he must have the praise for giving up voluntarily.

In looking back over the official career of Judge Emerson, while we can find in it not a little to criticize and condemn, there is also found much to admire. This latter might be somewhat narrowed if the judge's associates on the bench had been men of greater ability, less bigotry and better fitness for the interpretation of law and the administration of even-handed justice; but they, as a rule, having been lawyers of little learning and small capacity, of excessive fanaticism and of no conception of fairness on the bench, Emerson has generally shone with a good deal of brilliancy. At times he has manifested a want of that courage of conviction which the world so much admires, even though the conviction be one of error. Whenever THE HERALD has had occasion to criticize the doings of Judge Emerson, it has been at times when we have considered that he has acted against his own judgment and better instincts; sometimes because he desired to appease a fault-finding element that he despised yet whose influence and power he dreaded, at others because he would not accept responsibility that he should have shouldered out of a fear that his popularity might be endangered. As a whole, however, the course of his ex-honor has been creditable rather than otherwise. Considering the times, the situations, the questions that came before him for decision, and the contending influences, social and political, by which a Federal judge in Utah must necessarily be surrounded, few men have or would have done better than he, many have done much worse. There is no man on the bench to-day and we can recall the name of none who has been there for any length of time within the past fifteen years, who enjoys so large a degree of the respect of the community as Judge Emerson, who now becomes a private citizen of Utah with ambition and aspirations like other private citizens, and a desire to gain the good will and confidence of his fellow men. In saying this much—more than it has cared to say of other judges when they have gone out of office—THE HERALD will hardly be charged with a desire to curry favor with anybody. When Emerson was on the bench and in a position where his friendship and good will might have been of value, THE HERALD was never loath to speak freely and frankly to and of him and his doings, and now that he is no more than other units in the community, we are as free and frank to talk of his part. We heartily wish Judge Emerson well, and hope that his success at the bar will be all that he expects it to be. We are glad to know that he is going to stay with us, that he has thought enough of Utah to make it his home, and not, like others who came here with Federal commissions in their hands, become so little identified with the country that when their terms expired their salaries ceased, they have been ready to grasp their gripsacks and take the first train out.

WHO?

Probably the first nomination that President Cleveland will make for Utah, will be to the Associate Justiceship just vacated by Judge Emerson. The President has said that he will select from residents of the Territory and regard the recommendations of the local Democrats. In such cases heretofore there has been little anxiety or uneasiness over the matter because it was known that no local man could get the office, and local influence was never of weight

with the appointing power. Now that all this has been changed and citizens of the Territory are of importance in the eyes of the administration, what Democrat can be recommended for the place? He must be a Democrat, and should be a lawyer of learning, ability, probity and integrity. Where is such a man who would accept the office? A dozen Democratic lawyers who would fill the bill and answer the requirements of the President could be named, among others Judge Marshall, Judge Sutherland, Judge Rosborough, Judge Kirkpatrick, Judge Royle, Ben Shocks, J. L. Rawlins, P. L. Williams and Le Grande Young, all learned in the law and Democrats, and any one of whom would be satisfactory to the bar; but who of the gentlemen named would sacrifice his practice and surrender his present income for the honor of going on the bench at a salary of \$3,000? We are much mistaken if one of the lawyers mentioned above would accept the vacant judgeship. There may be others among the Democratic attorneys here who are capable and possess the other qualifications, and who would be willing to go upon the bench, but their names do not now occur.

It would seem, under existing circumstances, that the President will be compelled to fill the vacancy by appointing some local fadgeling of the bar, or some more incompetent and extremely objectionable person, or he will have to send us a judge from abroad—from some State where lawyers make less money than they do here where a single fee is frequently more than the judge's salary for a year, and where no lawyer of ability and standing receives less than the beggarly pittance that the government allows its judges. THE HERALD believes it will be better for the President to disregard the party declaration, which says the offices in the Territories should be filled by bona fide residents in the Territories.

DR. GEORGE L. MILLER.

There was not a little disappointment among Democrats of the west when the President's Cabinet was announced and in the list the name of Dr. George L. Miller, of Omaha, was not found. Dr. Miller, who is among the truest of men and the staunchest of Democrats, has conducted his paper, the Omaha Herald, in such a way as to have it regarded as the organ of the party west of the Missouri. When it became known that the Doctor was not averse to the acceptance of a Cabinet position, his friends interested themselves in the matter, and endeavored to obtain for him the Postmaster-Generalship. For a time it was hoped and believed that he would be given the place, but Cleveland, as we all know, selected his own Cabinet, leaving Miller out. Subsequently it was stated that Dr. Miller would be tendered the position of First Assistant Postmaster-General, the office held by Hatton before the latter was advanced to the head of the department. The Omaha editor was interviewed in Chicago the other day, when he declared that he will not accept the position. The Doctor did not feel at all sore over his failure to get into the Cabinet. Like the true man that he is, he accepted the defeat gracefully, saying: "I consider it an honor to be defeated by a man like Colonel Vilas, and have nothing to mourn over I assure you." We believe it would have been better had a western man been taken into the Cabinet, and the choice could have fallen upon no one who would have been more satisfactory to the Democrats of the western half of the republic than Dr. Miller. However, the Doctor is only in middle life, and there is plenty of time for him to serve in the Cabinet of a Democratic President.

DANA SNEAKING BACK.

Charles A. Dana, the brilliant editor of the New York Sun, was more bitter in his opposition to Cleveland than any Republican editor in the land. His disaffection cost the Democratic ticket many votes, especially in New York City; it also cost the Sun a good many subscribers, and Mr. Dana the confidence and respect of men who had admired him for his brilliancy, independence and fairness. Everything that Cleveland did or said was adversely criticized by the Sun from the letter of acceptance down to the famous Civil Service letter, which Dana refused to publish, saying the office cat must have destroyed the copy. The Sun has not been able to conceal its chagrin at the result of the election, but President Cleveland's inaugural address seems to have completely healed Dana's sores, for that editor is not only gushing over the address, but is building high on the prospect of a glorious administration by the reform President. All of which suggests that Mr. Dana's mind is not what it once was, characterized for its evenness, clearness, consistency and stability. The old man must be wandering. The inaugural address of President Cleveland was a gem in its way, like all of the President's sayings for the public, but there was little or nothing in it that could not be found in the letter of acceptance, which latter met the scorn and contempt of the New York editor; the inaugural address was in line of the civil service letter to George William Curtis, but the latter was so vile that it could not be admitted to the columns of the Sun. Dana is

now so ardent and demonstrative in his admiration of Cleveland that he is suggesting the latter's renomination in 1888 as his own successor.

If Dana has not lost his head, it is probable that he has learned that it is unwise and expensive to be wanting in sincerity, and is entirely foolish and unsatisfactory for one to bite off his nose because he has a spite against his face. The Sun's influence in directing the popular mind in political matters is not what it was before the editor became cranky, but it is all that could be expected of an organ that advocated the election of Ben Butler when Grover Cleveland was a candidate.

Bucklen's Arnica Salve.

The best salve in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all skin eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. Sold by Z. C. M. L. Drug Store.

NEW TO-DAY.

HOSTETTER'S CELEBRATED STOMACH BITTERS. The Fittest Subjects. For fever and ague, and remittents, are the debilitated, bilious and nervous. To such persons, Hostetter's Stomach Bitters affords adequate protection by increasing vital stamina and the resistant power of the constitution, and by checking irregularities of the liver, stomach and bowels. Moreover, it eradicates material complaints of an obdurate type, and stands alone unequalled among our national remedies. For sale by all Druggists and Dealers generally.

ECZEMA

And Every Species of Itching and Burning Diseases Positively Cured.

ECZEMA, or Salt Rheum, with its agonizing itching and burning, instantly relieved by a warm bath with CUTICURA SOAP, and a single application of CUTICURA, the great Skin Cure. This repeated daily, with two or three doses of CUTICURA RESOLVENT, the new Blood Purifier, to keep the body cool, the perspiration pure and unobstructed, the bowels open, the liver and kidneys active, will speedily cure Eczema, Tetter, Ringworm, Psoriasis, Lichen Pruriticus, Scald Head, Dermatitis, and every species of Itching, Scaly, and Pimply Humors of the Scalp and Skin, when the best physicians and all known remedies fail.

Will McDonald, 2542 Dearborn St., Chicago, gratefully acknowledges a cure of Eczema or Salt Rheum on head, neck, face, arms, and legs for several years, not able to walk except on hands and knees for one year; not able to help himself for eight years; tried hundreds of remedies; doctors pronounced his case hopeless; permanently cured by CUTICURA RESOLVENT (Blood Purifier) internally, and CUTICURA and CUTICURA SOAP (the great skin cures) externally.

Chas. Houghton, Esq., lawyer, 28 State St., Boston, reports a case of Eczema under his observation for ten years, which covered the patient's body and limbs, and to which all known methods of treatment had been applied without benefit, which was completely cured solely by the CUTICURA REMEDIES, leaving a clean and healthy skin.

F. H. Drake, Esq., Detroit, Mich., suffered untold tortures from Eczema, which appeared on his hands, head and face, and nearly destroyed his eyes. After the most careful doctoring and a consultation of physicians failed to relieve him, he used the CUTICURA REMEDIES, and was cured, and has remained so to date.

Mr. John Thiel, Wilkesbarre, Pa., writes: "I have suffered from Salt Rheum for over eight years, at times so bad that I could not attend to my business for weeks at a time. Three boxes of CUTICURA and four bottles RESOLVENT have entirely cured me of this dreadful disease."

Sold by all druggists. Price: CUTICURA, 50 cents; RESOLVENT, \$1.00; SOAP, 25 cents; For THE DRUG AND CHEMICAL CO., Boston, Mass. Send for "How to Cure Skin Diseases."

CUTICURA SOAP. An exquisite Toilet Bath, and Nursery Sanative.

WHITE HOUSE, BEST FAMILY HOTEL, Main St., Salt Lake City. RATES—\$1.50 to \$2.00 per Day. Special Rates by the Week or month. AUGUSTUS PODLECH, Proprietor.

METROPOLITAN, Corner West Temple and Third South Streets, SALT LAKE CITY, UTAH. Large and well-ventilated rooms. Sample rooms for Commercial Travelers. RATES—\$2.00 to \$2.50 per Day. Special Rates by the Week. BECHTOL & WILLIAMS, Proprietors.

NOTICE. THE HERALD Company will not be responsible for debts contracted by any of its employees.

MISCELLANEOUS.

LEGAL NOTICE.

In the Probate Court in and for the County of Washington, Territory of Utah.

Fanny Veitch, Plaintiff, vs. James Veitch, Defendant.

The People of the Territory of Utah send Greeting:

To James Veitch, Defendant in the above entitled Action.

YOU ARE HEREBY REQUIRED TO APPEAR in an action brought against you by the above named plaintiff in the Probate Court of Washington County, Utah Territory, and to answer the complaint filed therein within ten days (exclusive of the day of service) after service on you of this summons, if served within this county; or, if served out of this county, but in the judicial district within twenty days; otherwise, within thirty days; or upon due proof judgment will be taken against you according to the prayer of said complaint.

The said action is brought to obtain a decree dissolving the bonds of matrimony heretofore and now existing between the plaintiff and defendant, giving to plaintiff the care and custody of George, son of said parties, for court expenses, counsel fees and for the support and education of said George, son of said parties, and for general relief. 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 the Court for the relief demanded therein.

Given under my hand and seal of the said Probate Court, at the City of St. George, County of Washington, Territory of Utah, this twelfth [SEAL] day of March, in the year of Our Lord one thousand, eight hundred and eighty-five.

JOSEPH C. BENTLEY, Probate Clerk. J. N. LOUDER, Esq., Attorney for Plaintiff.

COAL.

D. & R. G. W. COAL AGENCY

145 S. Main Street.

PLEASANT VALLEY

Being a free-burning Coal, is especially adapted to kitchen use.

Colorado Anthracite Coal, El Moro Blacksmith Coal, Coke, Charcoal & Wood.

Our Coals are thoroughly screened and clean.

PROMPT DELIVERY GUARANTEED. Telephone No. 211.

SELLS, BURTON & CO., Agents.

Griffiths' Restaurant,

28W FIRST SOUTH ST.

MEALS AT ALL HOURS, Prices from 25c. to 50c.

The Best Market Produce; also OYSTERS,

SERVED ANY WAY YOU WISH. D. J. GRIFFITHS, PROPRIETOR.

LEGAL NOTICE.

TERRITORY OF UTAH, COUNTY OF JUAB, ss.

In the Probate Court in and for the said County.

In the matter of the Estate of Richard T. Course, deceased.

NOTICE IS HEREBY GIVEN THAT Patrick Casick, administrator of the estate of Richard T. Course, deceased, having filed in this Court the final account of his administration of the estate of said deceased, and his petition praying for an order of this Court approving said accounts and discharging him from further responsibility in the matters of said estate, Saturday, the 28th day of March, A.D. 1885, at 1 o'clock p.m., at the Courtroom of said Court, in the County Courthouse, in the town of Nephi, in said County, has been set by said Court as the time and place for hearing said petition and for the settlement of said account, when and where all parties interested may appear and contest the same.

In testimony whereof, I hereunto set my hand and affix the seal of the said Court at my office in Nephi, said County, this 24 day of March, A.D. 1885.

WM. A. CRYAN, Clerk of the Probate Court of Juab County, Utah Territory.

NOTICE TO CREDITORS.

Estate of David P. Evans, deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned, administrator of the estate of David P. Evans, 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 the said administrator, at Alta City, in Salt Lake County. Dated at Salt Lake City, March 9, 1885. FRITZ BETTICH, Administrator of estate of David P. Evans, deceased.

NOTICE TO CREDITORS.

Estate of John Findlay, deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned, executor of the estate of John Findlay, 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 the said executor, at his residence in the town of Santa Clara, in the County of Washington, said State, February 27th, 1885. Dated at Santa Clara, February 27th, 1885. ALEXANDER FINDLAY, Executor of the estate of John Findlay, deceased.

NEW TO-DAY.

F. AUERBACH & BRO. Salt Lake City, Utah.

New Goods! New Prices!

We are receiving our Spring Stock, which has been selected with the greatest care and bought at bottom prices. We have all that is new in styles and colors in Silks, Velvets, Velveteens, Foreign and American Dress Goods, White Goods, Ladies' Cloths, etc. Embroideries of all widths, qualities and prices. Lines of newest designs and styles.

The Latest Novelties in Ladies' and Children's

SPRING SUITS & WRAPS.

Novelties in Ladies' Neckwear and Ruohings.

OUR SHOE DEPARTMENT

Is supplied with the best qualities of Goods, from the foremost manufacturers in the United States, and the assortment is the most complete in Utah.

OUR CARPET DEPARTMENT

Is on the second floor, accessible by an easy stairway. The newest patterns in all styles and qualities of Carpets, Rugs, Linoleums, Curtains and House Furnishings. We guarantee all work done by this Department to give satisfaction.

NEW STOCK OF LATEST STYLES OF

Gents' and Youths' Clothing, Boys' School and Children's Kilt Suits, In Great Variety, at Most Popular Prices.

New Cloths for Gents' suits, made to order at less prices than can be had elsewhere of same quality, style and workmanship. This Department is one of our specialties, and in connection with our YOUTHS', BOYS' AND CHILDREN'S READY-MADE CLOTHING DEPARTMENT, we shall aim to make it the most popular in this city. New Tailors' Trimmings, New Gents', Boys' and Children's Hats, latest styles and colors.

OUR MILLINERY DEPARTMENT

Is receiving the newest styles and novelties. Hats, Flowers, Feathered Goods, Ribbons, Ornaments and everything necessary to make it the most complete stock in the west. Our Motto, "WE ARE NEVER UNDERSOLD," IS NOT AN IDLE PHRASE. Taking the superior quality of our goods into consideration, our prices will always be found as low as any others, either in this city or elsewhere.

WE ENDEAVOR TO KEEP

The Largest Stock, The Latest Novelties, The Choicest Assortment, The Lowest Prices.

We are always pleased to show goods, and if you fail to give us a call you will be yourselves to blame if you pay more for inferior goods. We have remodeled many of our Departments, and are enabled to show our stock much better than ever before. Wholesale buyers will find our several wholesale floors large and spacious, our stock largely increased, and our prices to compete with eastern and western markets. WE FILL ALL MAIL ORDERS WELL AND PROMPTLY.

WE ARE NEVER UNDERSOLD. ESTABLISHED 1864.

F. AUERBACH & BRO.

THOMAS W. JENNINGS HAS REMOVED TO 35 W. First South Street,

First Door East of Dinwoodey's Furniture Store.