

Official Directory.

TERMINAL OFFICERS. Governor—Gilbert A. Pierce. Deput. in Congress—Oscar S. Gifford. Secretary—J. H. Teller, of Yankton. Auditor—G. L. Ordway, Yankton. Treasurer—J. C. McVay, Yankton. Superintendent of Public Instruction—H. H. Beadle, Yankton. Surveyor General—Courtz Fessenden, Yankton. Judge District Court, Sixth District—Francis, of Bismarck. COUNTY OFFICERS. Commissioners—R. C. Cooper, chairman, N. C. Schick and Ole Halverson. County Clerk and Register of Deeds—H. P. Smart. Clerk of District Court—J. N. Jorgensen. Sheriff—Allen Pinkerton. Treasurer—Anton Enger. Surveyor—Martin A. Ueland. Supt. of Schools—Dr. T. F. Kerr. Judge of Probate—Geo. B. Clark. Coroner—Dr. G. F. Newell. Commissioners of Insanity—Geo. B. Clark, T. F. Kerr and David Bartlett. Justices of Peace—P. A. Melgard, Cooperstown, Harry Clark, Willow; A. H. Sangie of Helena; M. Davidson, Gallatin. Constables—J. H. Atchison, Allan Pinkerton, C. H. Johnson, M. L. Michaels.

Valley City has enjoyed its annual sensation, with brass band and torch-light procession. The occasion this time is what has figured as a Court House Steal—Tax Steal—Official Corruption, all in italics. It seems that J. W. Scott and John C. Evans had purchased tax titles to the amount of several thousand dollars, and taking advantage of the celebrated "Traill County Tax Decision" by which it was virtually decided that all moneys derived from tax sales had been obtained by the county illegally (whether or not a recovery could be had against the county), petitioned the board of commissioners for a repayment of their moneys, with interest. Their petition was granted—hence the commotion. The remedy, if the proceedings were illegal, is by an appeal to the district court, which should and could be taken by any tax payer upon furnishing a bond for the costs of the action. But, in accordance with precedent, the appeal is taken with more fuss than celerity. Some of the newspaper men, who are under dogs in the fight, very sensibly, desire to climb into the affections of the dear people, while others, who are political moguls, but not recognized as such, are equally anxious to conciliate the tax payer by the blare of trumpets and the clash of cymbals in the interest of good government, and fat offices. The real blow, which may stagger the counties has been dealt by the supreme court of the United States, in a remorseless adherence to precedent, upon demand of the Northern Pacific (which fought for its legal, not equitable, rights). The Barnes county board was evidently a little fresh, (if it has any regard for the good will of the public), in giving up any money, save at the point of the bayonet; but if it is legally justified in its course, which can be determined, this is a deed as white as snow compared to former proceedings of the old board—with Daily as chairman, and yet, Daily used to be a very popular official with the parties who are now incensed against him. The board that issued the famous orders for "bridge purposes" was, we regret to say, never asked by these patriots to resign. If upon final adjudication this refunding is found illegal, the warrant issued is waste paper; if it is not illegal, Messrs. Scott and Evans have simply obtained that which is their due. Perhaps some of these pat-riot leaders would have turned away from the commissioners' proposition to refund their money with a three-ply sort of a withering scorn that would have paralyzed the "board." These philanthropists, who so dearly love the dear people, would, no doubt, have commenced a high pressure law suit to compel the "board" to do what the "board" was willing to do without being compelled; or better yet, perhaps they would have surrendered their last dollar to the county filled with the dear people who vote, and wait for God to reward them. Has any one seen any sable African shedding his black skin, like a rattle snake, lately; or any leopard running around in this neck of the woods with the spots off of him?

There is always a feast or a famine of news. But a few days ago we heard that the English cabinet had resigned; now, upon the heels of this comes the intelligence that four members of the Valley City council have done the same thing. The checks from our Dakota pilgrims in Washington are coming in for protest. The pilgrims may be expected back soon. Let the public baths be prepared, and soup houses stocked up. The Chicago people are kinder to the dumb brutes than any other people of the world. They even let the rats eat the succulent floaters, and other bodies in the morgue, which are unclaimed by friends. The Wheatland Eagle is one of the brightest of our exchanges, and appears to be well supported.

Monday will be the 154th anniversary of the birth of Washington—he who looms up, in an atmosphere cleared by time from the perplexing smoke of personal and political warfare, as an immortal who bore, like the Christ, the burdens of a nation, and the imprint of whose mighty will is stamped upon the cosmos, and whose fame will endure forever. It is reported that L. Ed. Davison, of the Barnes County Record, will make his debut in politics, this fall, as a candidate for the council. The owners of the Record are to be congratulated on their selection of a candidate. Mr. Davison's well known acumen and magnetic influence will make him a leading spirit in the council.

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This is a subject fraught with interest to Griggs county, as well as its southern neighbor, and we have taken some pains to examine the authorities, relative to the subject. That county commissioners may exercise the right of individuals in the payment of a county's equitable, if uncollectable, debts is a principle maintained by no less an authority than Judge Cooley: A general right exists in the state to refund any tax collected for its purposes, and a corresponding right properly exists in the common council, or other proper board of cities, villages, towns, etc., to refund to individuals any sums paid by them as corporate taxes, which are found to have been wrongfully exacted, or are believed to be for any reason inequitable.—Cooley on Taxation, Page 530. This rule applies more consistently to men who pay taxes for others, by way

purchase, than to the original owners. It is public policy that purchasers of tax titles be encouraged by every reasonable means. They are generally residents who are (while looking out for their own interests) risking their money to benefit the county.

Whether or not the purchasers of void tax titles have a recovery by suit for moneys paid, at common law, is a mooted question; the matter is generally settled in each state or territory by statute. In Minnesota, Vermont, Nebraska and other states provision is made similar to that of Dakota, and the tax title purchaser is protected. The force and application of our Dakota statute, which reads as follows—

Where, by mistake, or wrongful act of the treasurer, land has been sold, on which no tax was due at the time, the county is to save the purchaser harmless by paying him amount of principal and interest [Rate of interest modified 1885.] to which he would have been entitled had the land been rightfully sold.

—has never been adjudicated upon. nor has our supreme court made any decision bearing upon the rights of purchasers in default of statute. This matter will now, in all probability, be determined, and the courts will certainly favor the most liberal interpretation and construction of common law and statute to protect the purchasers of tax titles absolutely void.

In regard to the rights of owners, no danger exists that the railroad counties will become bankrupt by a general re-funding of taxes which have been voluntarily paid. The weight of legal authorities determines that to entitle a tax payer to recover against a county the amount of taxes wrongfully assessed and paid, that (1st) the tax must have been entirely void; (2d) that the taxes must have been paid under protest. Smith vs. Redfield, 27 Me. 145; B. R. Co. vs. Marsh, 12 N. Y. 305; Hospital vs. Phila. Co. 24 Penn. St. 229; Taylor vs. Board of Health, 31 Penn. St. 73. Any other rule of law would result in endless confusion and litigation, harmful to the state or municipality. Yet it is difficult to justify this nice operation of a protest, which costs nothing and which may always be made for safety, whether the tax be legal or illegal. It is something in the nature of a snap judgment on a technicality in favor of the public. It being in the interest of the public is its real justification. The rule is different in Kentucky. There, no protest is necessary to warrant the tax payer in his recovery. Underwood vs. Brockman; 4 Dana, 309. Altogether, it seems that we shall survive the blow of the Traill county case, without material injury, though not without expense and inconvenience.

Ed. Hall is running a bright little democratic paper in the Sun-Democrat. W. H. H. Mattison convinced the Fargoites that the paper existed, and Ed. has a good chance, with democratic patronage, of making it not only continue to exist; but pay.

President Cleveland has offended the senate by not sending its members formal invitation to the diplomatic reception. Well, you see, Grover has been in the habit of just mentioning to the boys "there's a hen on," when he has hitherto given a party, and is not used to the new situation.

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Brother Adams, of the Cooperstown COURIER, in his "Political Pointers," says: "Budd Reeve, of Buxton, and McLaren, of Hope, it is suspcioncd, have their eyes on the House." While we cannot answer for the "stalwart democrat of Buxton," McLaren the soft impeachment denies. But we will say that the district might look further and fare worse than it would by electing either or both the gentlemen named, to the next Assembly.—Pioneer.

Mortgage Sale.

Default has been made in the conditions of a certain mortgage executed and delivered by William Wethy, unmarried, mortgagor, to Sarah L. Hubbell, mortgagee, dated the 30th day of April, A. D. eighteen hundred and eighty-three, and recorded as a mortgage in the office of the register of deeds in the county of Griggs, in the territory of Dakota, on the 4th day of May, A. D. 1885, at 7 o'clock p. m., in book "C" of mortgages, on page 57, on which there is claimed to be due at the date of this notice, and hereby declared to be due at the election of mortgagee, the sum of six hundred forty-one and 70/100 (\$641.70) dollars, and no action or proceeding has been instituted at said mortgage or any part thereof, and said mortgage has never been assigned.

Notice is hereby given, that by virtue of a power of sale contained in said mortgage, and of the statute in such case made and provided, the said mortgage will be foreclosed by a sale of the mortgaged premises therein described, which sale will be made at the front door of the court house in Cooperstown, in the county of Griggs, and territory of Dakota, at public auction by the sheriff of said county, or by his deputy, on Saturday, the 3d day of April, A. D. 1886, at 2 o'clock in the afternoon, to satisfy the amount which shall then be due on said mortgage, with the interest thereon, and costs and expenses of sale, and taxes, and fifty (\$50) dollars attorney fees, as stipulated in said mortgage in case of foreclosure.

The premises described in said mortgage, and so to be sold, are the lot, part or parcel of land situated in the county of Griggs, and territory of Dakota, and known and described as follows, to-wit: The northwest quarter (nw 1/4) of section No. eighteen (18) of township No. one hundred forty-four (144) north of range fifty-nine (59) west. Containing one hundred forty-seven and 55/100 (147 55/100) acres, according to the United States government survey thereof. Dated at Fargo, D. T., this 15th day of February, 1886. SARAH L. HUBBELL, Mortgagee, Spaulding & Templeton, atty. for mortgagee, Fargo, D. T. 5-11

Notice of Final Proof—Land Office at Fargo, D. T., Jan. 19, 1886.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and secure final entry thereof, viz: Leonard W. Safford, D. S. No. 14,200, for the ne 1/4 of sec. 12, twp. 14n, r. 60w, and names the following as his witnesses, viz: Arthur Know, Ezra W. Hagerty, Benjamin F. Kuhns, Charles E. Johnson, all of Willow P. O., Griggs county, D. T.

The testimony of witnesses to be taken before J. N. Jorgensen, clerk of the district court, at Cooperstown, Griggs county, D. T., on the 27th day of Feb., A. D. 1886, at his office. Testimony of claimant to be taken before Hon. Register or Receiver of U. S. Land office, at Fargo, Dak., on March 3d, 1886. 1-6 HORACE AUSTIN, Register. Wm. Glass, att'y.

Notice of Final Proof—Land Office at Fargo, D. T., Jan. 20, 1886.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and secure final entry thereof, viz: Karl P. Vaugen, D. S. No. 14,200, for the nw 1/4 of sec. 12, twp. 14n, r. 60w, and names the following as his witnesses, viz: Edward Michaelis, Christian C. Wolden, Elling N. Skove, Andrew Benson, all of Cooperstown, Griggs county, D. T.

The testimony herein to be taken before John N. Jorgensen, clerk of the district court at Cooperstown, Griggs county, D. T., on the 8th day of March, 1886, at his office. 2-7 HORACE AUSTIN, Register. Jacobson & Ole.

NOTICE OF FINAL PROOF—Land Office at Fargo, D. T., Jan. 21, 1886.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and secure final entry thereof, viz: Karl P. Vaugen, D. S. No. 14,200, for the ne 1/4 of sec. 12, twp. 14n, r. 60w, and names the following as his witnesses, viz: Jens Anderson, John K. Thune, Mads M. Netrost, Trond Rogne, all of Jesse post-office, Griggs county, D. T.

The testimony to be taken before John N. Jorgensen, clerk of the district court, at Cooperstown, Griggs county, D. T., on the 12th day of March, A. D. 1886, at his office. 2-7 HORACE AUSTIN, Register. Jacobson & Ole.

NOTICE OF FINAL PROOF—Land Office at Fargo, D. T., Jan. 22, 1886.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and secure final entry thereof, viz: Ole Amoson, D. S. No. 11,328, for the e 1/2 of sec. 14, tp. 14n, r. 60w, and names the following as his witnesses, viz: Amund Johnson, Ole Olson, Lever Terlin, Jim Fortin, and Marshall, Griggs county, D. T.

The testimony to be taken before Geo. B. Clark, judge and ex-officio clerk of probate court, Griggs county, D. T., at Cooperstown, Griggs county, D. T., on the 25th day of February, 1886, at his office. HORACE AUSTIN, Register.

NOTICE OF FINAL PROOF—Land Office at Fargo, D. T., Jan. 23, 1886.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and secure final entry thereof, viz: John K. Thune, D. S. No. 14,200, for the sw 1/4 of sec. 28, tp. 14n, r. 60w, and names the following as his witnesses: Karl T. Vaugen, John Anderson, John Faston and Andrew H. Overby, all of Jesse, Griggs county, D. T.

The testimony to be taken before Geo. B. Clark, judge and ex-officio clerk of probate court, Griggs county, D. T., at Cooperstown, Griggs county, D. T., on the 25th day of February, 1886, at his office. HORACE AUSTIN, Register.

And you Harry J. Lyons, who on the 11th day of July, 1883, filed T. C. entry No. 8650, for the e 1/2 of sec. 28, tp. 14n, r. 60w, as hereby notified to be and appear before Geo. B. Clark, judge and ex-officio clerk of probate court, at Cooperstown, D. T., on the 25th day of February, 1886, and show cause, if any you have, why the entry of Harry J. Lyons should not be allowed to make proof and payment for his land. 22-5 HORACE AUSTIN, Register.

NOTICE.—U. S. Land Office, Fargo, D. T., Jan. 27, 1886.

Complaint having been entered at this office by Petrus Erikson against De Witt C. Upham, for failure to comply with law as to timber culture entry No. 6701, dated April 11, 1882, upon the e 1/2 sec. 18, twp. 14n, r. 50, in Griggs county, Dakota, with a view to the cancellation of said entry; contestant alleging that said DeWitt C. Upham failed to plant or cause to be planted to trees, tree seeds, roots, nuts or cuttings, five acres of said tract, broken the first year of said entry or to cultivate to crop, or otherwise, the second five acres thereof, broken during the second year of said entry. That said failure exists at the present time, and that all the improvements now on the land is about ten acres broken during the first and second years of the existence of said entry, and which are now grown up to weeds; the said parties are hereby summoned to appear at this office on the 24th day of March, 1886, at 10 o'clock a. m., to respond and furnish testimony concerning said alleged failure. 4-9 HORACE AUSTIN, Register.

NOTICE OF FINAL PROOF.—Land Office at Fargo, D. T., Feb. 8, 1885.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and secure final entry thereof, viz: Peter Cameron, D. S. No. 15,587, for the sw 1/4 of sec. 10, tp. 14n, r. 60w, and names the following as his witnesses, viz: William L. Stringer, Gideon Sheldon, Benjamin B. Lewis and Boie H. Leine, all of Willow, Griggs county, D. T.

The testimony of claimant and witnesses to be taken before Geo. B. Clark, judge and ex-officio clerk of probate court, at Cooperstown, Griggs county, D. T., on March 1st, 1886, at his office. 4-9 HORACE AUSTIN, Register.

NOTICE! We will sell, without reserve and regardless of value, Three Thousand dollars worth of Men's, Youths' & Boys' Clothing Fur Robes and Fur Coats, AT YOUR OWN PRICES

LADIES' ULSTERS AND CIRCULARS, at 25 per cent less than former prices.

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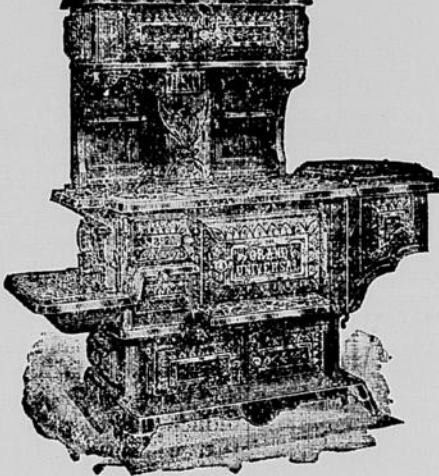
We have taken the agency for an eastern Publishing house, and can sell you books of the best authors astonishingly low.

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ANNOUNCEMENT!

The people of Griggs and adjoining counties will please take notice that if the old saying, "Money makes the mare go," is true, it is equally true of

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We hereby proclaim to everybody that is in need of goods in our line, that will not be undersold by any body, anywhere, and invite your inspection of goods and prices. The almighty dollar is going to work miracles this season, and if there is any of them loose, we are bound to have them. In two words, before going out of the door turn around and catch the last faint whisper. STEVENS & ENGER.

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