

was that Hon. Moses Thatcher had pronounced the Declaration of Independence to be a failure. If he had said that it was simply a failure of the application of the principles it embodied in the treatment of the community of which Mr. Thatcher is a member, the statement would have been correct.

But now comes Judge Powers and asserts that he does not agree with the gentleman to whose speech he referred, regarding the failure of the application to this community of the genius and letter of the glorious declaration of freedom made by the fathers of this nation. We here state unequivocally that either Judge Powers is untruthful, speaking with a forked and double tongue, or he and Mr. Thatcher are one upon that point. In effect he stated no longer ago than last Saturday (February 16th), that the principles adverted to had not been applied to the majority of the people of Utah by the Government. Brother Thatcher has said no more nor less.

As proof positive of the position now taken by us, we quote from the argument made by Judge Powers before Examiner Harkness in the investigation into the conduct of Receiver Dyer and his attorneys, in the course of which he spoke as follows:

"It was a harsh proceeding to make this confiscation act. I desire to say right here, it never met with my approval, and, I think, not with the approval of the majority of the Gentile community here. It is un-American. A man has a right to that which he earns, or to give it to a charity, a hospital, a church, and no one has the right to say him nay. To say that this government can take his money and use it for a purpose for which he did not intend it, is tyranny. It is an unjust law, and has done more to injure the Gentile cause than the Mormon Church ever has done. It has given a chance for that people to say that our chief object is plunder and robbery. I don't care whether the incorporation is legal or not, the government has no right to take this property. They wrested it out of the soil, and it is theirs, and no one else's."

The report immediately foregoing of what he said has been accepted by himself as representing correctly his views and sentiments. He so stated to our reporter.

This leaves Judge Powers in a dilemma. He must take either horn: that it is in accord with the spirit and principle of the Declaration of Independence for the Government of the United States to act in a way toward this people that is "un-American" and rob them of the property they have

"wrested from the soil;" or that, so far as the application of the sentiment and letter of the Declaration of Independence to this community is concerned, there has been a failure.

That sacred document enunciates no "un-American" methods for the treatment of any class of citizens. In making a statement of this matter we have nothing extenuated nor ought set down in malice. We leave it to the judgment of the reading public as to whether Judge Powers has exhibited himself as an example of perverted humanity with a moral nature reduced to a point of attenuation by the practice of obliquity. Is not the manner in which he coins conspicuous inexactitudes only paralleled by his effrontery? The gentleman he assails is as far above him in his conceptions of American liberty as is the highest peak of Mount Nebo compared to the lowest level of the Ontario mine.

EXPRESSIONS OF REGARD

THERE has been some racy by-play connected with the investigation into the conduct of the Receiver and his attorneys before Examiner Harkness. Our readers will remember the unique scene that ensued immediately upon the appearance of R. N. Baskin, as attorney by "courtesy of counsel for the court." In addition to the report of the proceedings, an editorial word-picture of the affair appeared in these columns. Since then the principals connected with the scramble after "a large amount of money taken from a Church" have been hurling, through the medium of a reporter of the anti-"Mormon" organ of this city, left-handed compliments at each other. This is what the quill-driver drew out of Mr. R. N. Baskin, whose impetuosity invariably submerges his discretion:

Judge Baskin takes decided exception to the strictures placed upon him by Judge Powers, and says that any man who will make such statements about him as appeared in yesterday's *Tribune*, is mean and cowardly. Judge Powers had been flinging mud at Judge Zane right along, and the latter had not resented it, but he (Judge Baskin) wanted Judge Powers to understand that he could not do this with him. Judge Baskin believed it was Judge Powers who had been inspiring the mean sayings about him in the *Deseret News*, and he said in very plain language that he would have a personal reckoning with him. He didn't propose to be accused of con-

duct unbecoming a gentleman. A Michigan lawyer named Howard had treated him in a similar fashion some years ago, and he (Judge Baskin) taught him better manners in a way Mr. Howard had occasion to remember. The speaker held his manner of questioning Mr. Williams correct enough under the circumstances. Mr. Williams' answers wandered off from the drift of the questioning, and those interjections were simply to bring him back to the points the questioner was trying to bring out. If he had heard Judge Powers accuse him in the examination of being ungentlemanly he would have reached across the table after him. * * * The attorney concluded by expressing himself forcibly and clearly in criticism of the way in which Judge Powers had insulted Judge Zane and conducted the case generally."

Judge Powers had nothing whatever to do with the inspiration of the articles referred to. They were the result simply and solely of what transpired, coupled with the quality of the actors engaged in the farce. He has, however, on more than one occasion, inspired us—with disgust. When he or any other man takes a proper stand, however, we are willing to make a statement to that effect. If any individual belonging to the crowd to which Baskin, Powers et al. belong—they are component parts of the same class—imagines that he can inspire articles of this journal, he has but to try in order to discover how egregiously he is mistaken. The articles referred to have touched the truth, and consequently reached a sore spot in Mr. Baskin. We have weighed each of the "active politicians" of Utah and taken his measure, and need no external inspiration to enable us to delineate him as he is.

The threats of personal violence made against a man who has all the appearance of being physically weaker than—although intellectually superior to—Mr. Baskin, coupled with the boast of the latter's prowess in punishing Sumner Howard, speaks volumes regarding the quality of the source. While on the subject of raking up the embers of past gladiatorial conquests, the gentleman's memory failed to bring up the ghost of a personal encounter with the late Judge Hawley. The physical appearance of the latter was grimly suggestive of one of those ancient worthies exhumed from the catacombs of the Egyptian pyramid by scientists in pursuit of knowledge, and his vitality was not much superior to that of one of those remnants of past greatness.

Judge Harkness, being interrogated by the scribe in relation to what