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CHARLES W. PENROSE, EDITOR. - ----October 17, 1887 Monday

THE FALLIBILITY OF COURTS

THE fight in Virginia over "repudiation" has developed a feature in jurisprudence of interest to the people of Utah. It gives evidence of the fallibility of the highest judicial authorities in the land. It is considered trea. son in a "Mormon" to express views opposed to the opinions of the majority of a court of flasl resort. But that such courts occasionally render decislons contrary to justice and sometimes to law, cannot be denied in the and made all callers at the White face of history and experience. "When House with whom she was confronted doctors disagree, who shall decide?" is a trife query. When Supreme Judges forty years ago, but Mrs. Polk is still a disagree who may not dispute on a well-preserved lady living at Nashville, legal question? And is not a Judge as Tennessee, about sixty-five years of much a servant of the public as an age. On yesterday (Sunday) she official in any other department of the received a call from Presigovernment, and are not his official dent and Mrs. Cleveland, and acts equally open to public criticism? The death of Justice Woods, of the or enjoyable event of the President's Supreme Court of the United States, tour. The present lady of the White leaves the highest judicial tribunal House did not reach this terrestrial Federal Courts over officers of a State, had passed after the former had when the latter choose to obcy a State retired from it, but they met law in preference to a mandate of a yesterday on common ground and large assemblage of people. But Federal Court. The history of the perhaps the great difference in their case which occasioned this division of ages was not noticed at all amid the opinion is, briefly as follows:

of Virginia passed an act providing furtive glance ahead and for an instant that coupons of the bonds issued by seen how far positions are transient the State should be taken, after ma-and honors fleeting, just as Mrs. Polk lege of all who obeyed the Gospel to 1872 another act prohibited collectors have again realized it. But it was all from receiving anything but cash for in all a pleasant interview, and we are taxes. On appeal to the courts the giad the President had time and did coupon holders obtained a victory, not forget to make the call. for the repudiation of the coupons was held to be unconstitutional, because it "impaired the obligation of a contract." The Supreme Court of the United States sustained this view, as

took till 1880 to reach that decision. In 1882 another act was passed, de- states that the Secretary of one of the signed to dodge this issue. It pro- South American legations at the caplvided that coupons should be taken by | tal, claims to possess special knowlthe tax collectors when tendered, but edge of the purposes of the anarchists who honored Him. In performing that pending an investigation as to in this country. The same person is these duties, His diciples had received their genuineness, money should be being talked of as the author of s repaid in full for the taxes due, to be re-covered by the taxpayer when a favor-Washington on this subject. It re-which they should pursue. Like the power of God. The Lord had called able decision on the coupons should cently appeared, over a nom de plume, the weak and the unlearned to preach His Gospel, and had made them strong in His service. Through the work of the United States, Justice Field alone Ayres. The introduction of the letter these servants the Saints had heard the Dedication of G. W. Child's Fountain am sure nothing but continued and dissenting, pronounced this good law. But in a subsequent suit, that suggest tribunal decided that when a taynayar

differ from it or a part of it may be not entirely unknown in this Territory, though they are in an infantile perfectly consistent, and also that it may occur, as in this Virginia suit, state. For some years the Wellsville that actual resistance to the conclu- Ce-op. has packed and exported pork, sions of that court may be necessary to some seasons shipping several cartest their propriety and validity. loads, and George Husler, Esq., of this Whether the Virginia officials shall city, packed, last year, about 700 hogs. gain or lose their cause, they have There is no reason why the pork acted on their convictions, and in- packing industry might not become an important one in this city, and stead of being denounced as "traitors" and guilty of "treason," sensible peeother portions of the Territory, and a ple will see that they have proceeded means of materially increasing the on principle and not in the spirit of revenue of farmers. Lucern can here criminal lawlessness. And therein is be made to nearly or entirely take the place of corn in the great hog raising a lesson for some people not a thoustates, and hence may be made a vasily sand miles from this city. more valuable product, even, than it

now is.

A MEMORABLE VISIT.

WHEN the man who is now President of the United States was a little boy whose only occupation was the traditional daily snail-pace tramp to school and back, the lady who presided over the White House- Mrs. James K. Polk-was in the zenith of a well-deserved + national popularity. She was accomplished and winsome, feel quite at ease. That was some The choir sang the hymn: this was not the least notable equally divided on the powers of the sphere till nearly a score of years to address the congregation had been

genuine gratification of the time. Per-In 1871 the Legislature of the State haps Mrs. Cleveland may have taken a

PURPOSES OF THE AN-ARCHISTS.

turity, in payment for State taxes. In may at the same time for a second only receive. The Elders, when they prethat promise had been verified. The principles of the Gospel had emanated those taught by Jesus and His apostles. the everlasting Gospel that should be before the end should come. The Lord had set His hand to accomplish the held by the State Court of Appeals. It A DISPATCH to the Boston Herald restitution of all things, as He had de-clared He would do. This work would from Washington, dated the 10th, be accomplished as the Lord had always accomplished the spread of His Gospel through the agency of those whom He chose and ordained, and explicit instructions as to the course

tribunal decided that when a taxpayer tendered coupons and refused to pay money, the collectors could not levy increase for a revolution in the linited of the people were to knowing God ing ready for a revolution in the United of the people were to knowing God make the position still stronger, the court ruled that suits might be brought against the officers of the State in the Bes association of Anarchists, who Federal Courts, to enjoin them from levying when coupons had been ten-dered. the Most High. Even in the professed religious world, the words of the Elders were frequently unheeded, and heir declaration to the people that hey came as messengers from the ord received little attention. Yet they spoke the truth, and as Jesus said, "My sheep hear my voice, and a increased to 400,000. The chief of these plotters, in drawing up the plan stranger they will not follow." The Saints sometimes felt that they were in an unpleasant predicament, but there was no cause for fear, for the Lord was at the helm and would bring salvation to the pure in heart. The speaker was thankful that he had been permitted to live in the present age and to receive the Gosp 1. It was beother way. To sue them, therefore, is virtually to sue the State. The whole object is to coerce the State. It is idle to say that the proceeding is only against the officers. And he went the machine of government. The de-crees to guide the Socialists are now made manifest. Whoever repented of their sins and followed the commands

sibility to-day, there will come a time when they must do so, and it was With the blessing of being able to re-ceive the instruction of the Holy Ghost, was involved a responsibility greater than all the world beside. In the world the teachings of the ministers of the various denominations were painfully devoid of the power of the Holy Spirit. This condition was easily ob-served by the Saints. When men were called before the bar of eternal justice, the Saints could not plead ignorance the requirements made of If they wished to know them. whether they were forgiven of their sins they should ask themselves whether they have repented. If they have, they have been forgiven. The door of repentance was always open to them. They should learn to overcome temptation, and follow the pattern set by Jesus, and obey His divine

injunction, "Thou shalt worship the Lord thy God; and Him only shalt thou serve." Mammon was opposed to the God of heaven, and men were SUNDAY SERVICES. Elders Aubrey and Stayner at the forbidden to worship the riches of this Tabernacle Yesterday. world. Jesus said "Ye cannot serve God and Mammon." It was perfectly proper to obtain the means to sustain life, but the Saints must perform this labor under the in-Religious services were held in the Tabernacle, Sunday, Oct. 16, 1887, commencing at 2 p. m., High Counfluence of the Holy Ghost. All other things must be secondary to obedience to the Almighty. The Saints should clier Henry P. Richards presiding. The choir and congregation sang: always be in a condition to choose His The great and glorious Gospel light service over all other things. They Has ushered forth unto my sight. should beware of pride; they may have the riches of the earth, which Prayer by Elder Charles F. Wilcox. God has provided for the use of man; but they should control their appetites and desires, and not love wealth more Behold the great Redeemer die,

than they loved God. A broken law to satisfy. The Priesthood of the Thirtcenth Ward officiated in the administration of the Sacrament.

difficulties to overcome, they could not appreciate the blessing of intelli-ELDER THOMAS AUBREY was the first speaker. He said the call gence.

quite unexpected to him. He had not been accustomed to talking to such a whether the number was great or small, he realized the necessity, as an Elder in Israel, of the inspiration of the Holy Ghost. There were few of the Saints, if any, who had not a testimony to bear of the truth of the Gosmost good. a faithfulness. They should seek to sented the divine message, promised that those who accepted it would know of the truth of the doctrine, and Him for influence with their families, to keep them from sin. This

was worth more than an abundance of gold. They should pray for spiritual from heaven. They were the same as The"Mormons"had no new system, but preached to all the world as a witness worth striving for on the part of the Latter-day Saints. They could not afford to be without them if they as-pired to salvation in the presence of their heavenly Father. The redemp-tion of Zion would not come till her inhabitants are cleaused from all in-

After singing by the choir, the ser-vices were brought to a close by prayer by Elder Milando Pratt.

TO-DAY'S TELEGRAMS to Shakspeare at Stratford-on-Avon.

not prepared to accept that respon- club house of the association, where the members of the committee and others of the reception were presented their du'y to prepare for that time. to the President. At.8:45 the PROCESSION FORMED and the march to the city began to the

music of a presidential salute of artillery. The route was through the fine grounds of the Vanderbilt University. The pupils of the institution were drawn up in front of the uni versity building and as the President' carriage came up they received him with cheers, in acknowledg-ment of which he raised his addressed the President expression the plesare it gave all connect. I will the institution to welcome him. The The students waved their hats and cheered again and the march was resumed. it proceeded several divisions of th procession, constituting military and ivic organizations, benevolent orders state, county and municipal authori ties and city schools, were passed into their places behind. The principa streets of the city were traversed, th populace of all grades and conditions being out upon the silewalks. When It . was the Maxwell House was reached,

MRS. CLEVELAND

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and her escort alighted and entered the hotel, where she held a reception to the ladies of Nashville. The Presifest and procession made their way to the Capitol where, upon a stand crected for the purpose, the necessary formal-ities took place. Governor Taylor's speech was a brief but elequent expression of the hospitality of this sec tion, and the President in reply said : "I regret that my stay to-day at the

capital of Tennessee must be neces Temptation was placed before them that they might overcome, and their energies and powers be developed. Without opposition their lives would be insipid and valueless. Without the insipid and valueless without FLATTERING TERMS

of the beauty of Nashville's location They had not arrived at the condition the Lord expected them to fertility of the surrounding country reach in purity of life before they could and the great wealth of mineral reexercise fully all the gifts bestowed upon them. Until they did arrive at that condition they had not fulfilled material prosperity. He then turned the covenant they had made with the to the educational advantages of the Almighty. The blessings of the Lord city, which had caused it to be "de did not come without the conditions "servedly known as the Athens of th being fulfilled. Nor were they always South." He spoke of Nashville and of a temporal character, but the Lord bestowed those things of His children which would do them the most goed. The Saints should seek for power to trymen turn with reverent enthusiasm draw near to the Lord, and serve Him and you

ARE FORTUNATE

blessing in numbering among your residents the loved and honored widow of our eleventh President. You have als blessings, for the power that would cause the heavens to be opened, that light and intelligence and ability to cabinet, nine United States senators, overcome evil should be poured out two speakers of the House of Repre-upon them. These were blessings sentatives and one justice of the United States Supreme Court. With such a history and with such examples, the State of Tennessee and its capital have been brought into relations and operation with the federal government and may claim a large share in its glory in benificient results. luence of the sentiment engendered by these relations and traditions quickly

won back the citizens of the state and cify to

THEIR OLD LOVE for the Union after a sad interruption ad restored them to the bratherhood in which they had found a noble, honorable career. In the years to come

increasing growth and development await the people of Tennessee, con-stantly adding to the splendor and im-portance of her capital city." Upon the conclusion of the address,



It was on this that the court of last resort divided. Five were in favor, four dissented. The dissenters stood on the ground that under the Eleventh they expect that by 1889 they will have Amendment of the Constitution the Federal Courts were barred from ex-ercising any anthority in suits against either of the several States. Justice Bradier for the minority in suits against Bradley, for the minority, argued that State officers have no power but what into points from whence the socialists the State gives them. They act for and on behalf of the State, and in no other may To method the state, and in no on to say

"These suits are attempts to coerce a State by judicial proceedings. They are that and nothing else. It is useless to attempt to deceive ourselves by an adroit use of words or by a train of metaphysical reasoning. We cannot in that way change the nature of

adopted, in which a State has been coerced by judicial proceedings at the suit of individuals in the federal courts. That this is such a case seems one of the plainest propositions that can be stated."

agaiast the officials were not actual suits against the State for which they to use your valuable paper in promotacted, and that the Federal courts ing the hog raising industry in Colomust have power to enforce their own rado and the territories. I am aware decisions when State officers proceed of the difficulties heretofore acting decisions when State officers proceed against it in the past, but from all I unconstitutionally. Since that decision was rendered, one of the ma- to all intents and purposes. jority has passed to another and higher cessful farmers of Colorado, I am adjurisdiction, and now the Supreme vised they are feeding green alfaits to Court of the United States stands evenly divided, so far as is known at other vegetables and grain for hardenevenly divided, so far as is known at present, on this very important and unprecedented question.

passed an act prohibiting a ver- like corn. Whether it does or not, the corn fields of eastern Colorado and dict in favor of coupon holders western Nobraska and Kansasare sufin suits to test the coupons ficiently close to supply any defect in tendered, unless the bonds for alfalfa food. Be that as it may, in which they were taken were produced fully fed to hogs in winter, and quit a in court. List May this was supple-mented by another act requiring the from that Territory and Wyomin; have District Attorneys of the State to been handled in the Omaha market. It is excellent feed for cattle, sheep and horses with but little labor. had offered coupons for taxes but had I am deeply impressed with the imnot paid money. The protection of portance of promoting the growth of the United States Circuit Court was asked, and injunctions were issued the hog raising industry in Colorado, Wyoming, Utah, and the remaining territories, and should you succeed in forbidding the attorneys to proceed under the State law, which violated the ruling of the majority of the United States Supreme Court. enlisting the farmers generally in that section (you have succeeded so ad-mirably with those of Nebraska in other lines) it will add enormously to the material wealth and development

habeas corpus is pending before the Colorado and the territories are most court of last resort, which will bring favorably situated, as they can avail up the same question in a new shape. themselves of the markets of Denver, And it depends largely upon the views. of the individual who shall be appoint- know, great packing houses are loed to succeed the late Justice Woods, cated at Kansas City and Omaha, and how the case will turn. Thus a most | the latter is constantly increasing its important question, affecting the powers of the General Government over the authority of a sovereign State depends as the great meat producing centers of the world. And at the rate they are insay, fallible man.

of the State of Virginia, Mr. Ayres, and east, because of being "absorbed," or been sent to jail for contempt in dis-

promulgated, and will be executed at of the Almighty would be enabled to once when the time comes." escape these great judgments, while those wao did not would be required to suffer for their slufulness. The

through the way the Lord had or-

ELDER ARTHUR STAYNER

of God triumphant over all evil.

dained, which would bring off the work

speaker exhorted the Saints to see RAISING PORK FOR PACKING. he Lord for the deliverance of His people from bondage. This could be done only by strict adherence to the

By the courtesy of George J. Need-This is the first time, we believe, ham, Esq., of the Union Pacific, we since the eleventh amendment was have been furnished with a clipping ham, Esq., of the Union Pacific, we truth; such blessings came only from Western Resources, a publication issued at Lincoln, Nebraska, which is a communication written to that jour-

next addressed the congregation. He nal by General E. F. Test, relative to

said the book of Doctrine and Covenhog raising in Colorado and the terri-The majority contended that suits tories. We reproduce a portion of it: ants contained revelations given in the latter days by Jesus Christ to Joseph "It has occurred to me to ask you listory of God's people auciently, and

In 1886 the Virginia legislators vary as to whether it will fatten them

And now an application for a writ of of the whole trans-Missouri region. Omaha and Kansas City, and further east at Chicago and St. Louis. As you plant. So rapidly have these cities insecond to Chicago, in the order named, creasing it is possible that in the It appears that the District Attorney live hog will cross the Missouri River

clared: one of his assistants who with him has Omaha or Kansas City." Statistics are given showing the vast

flagratious in the State of New York. Mitkiewiczs' Misrepresentations **Cbtain the Concessions** from China.

> President Nominated for [a The Second Term by the People of Nashville.

Collapse of the Chicago Military Encampment.-London's Unemployed Army.

By Telegraph to the NEWS |

The Shaaspeare Memorial. LONDON, Oct. 17 .- The Shakspeare Austrian prime minister, threatens to memorial fountain presented by G. W. resign his office unless the nationalists ferate their demands in relation to Childs, of Philadelphia, Pa, to the federation. town of Stratford-upou-Avon, was

dedicated with imposing ceremonies The Unemployed Infariated, to-day. The weather was fine. There was an immense crowd in a tendance LONDON, Oct. 17 .- A deputation of and much enthusiasm was manifested. Dr. Macau'ey represented Childs at the unemployed workingmen went to th Mansion House to-day and demande proceedings. Just before noon the invited guests formed in line and invited guests formed in line and marched to the town hall, and thence to the site of the fountain. Henry Ir-ving made the dedication speech. He said he admired Child's public spirit and are now marching toward the city. and energy, which were worthy of Philadelphia. His generous deeds were widely known and he was greatly respected.

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TWENTY-NINTH

Z. C. M. L., SALT LAKE CITY,

Gladstone.

LONDON, Oct. 17 .- Gladstone arrived Mr. Dye, and the unsatisfactory state Smith, the Prophet, Seer and Revelator of the Church of Jesus Christ of Latter-day Saints. It may be an istonishing statement to strangers to say that the Church is not founded at the meeting of the liberal federation on the Bible. The Latter-day Saints believe that book fully; they believe it e be just what it purports to be-the sold out.

Fires. NEW YORK, Oct. 16 -A fire this 18th.

of the labors of the Savior, and that it contains much of His divine instrucmorning in a building at 17 South ions. The Saints believe the Bible to be an inspired book, containing many Street, occupied by J. G. Alport, ivine truths concerning the way of fe and salvation. The Doctrine and wholesale grocer and ship chandler, caused damage of about one hundred Covenants was just as much an in-spired book as was the Bible, to the thousand dollars.

BUFFALO, N. Y., Oct. 16 .- Kewt and Lakeview hotels, with a number of cotsaints, with this difference, that the tages at Lakeview, near Jamestown, were destroyed by fire this morning. Loss, half a million. instructions in the Doctrine and Covenants were given in the latter day, direct from the Almighty, for the cs-JAMESTOWN, N. Y., Oct. 17.—The Kent House, at Lake Wood, on Cha-tauqua Lake, was totally destroyed by fire this morning and the cottages were damaged. The burned hotel was the finest on the lake and the total loss ablishment of His Church according Men usually objected to any new doctring. "Mormonism" was not a new doctrine, however, but the everlasting Gospel, and the only plan by conformity to which man could re-ceive exaltation in the presence of God. The Almighty had set His hand will reach \$125,000, insurance \$36,000.

Mithiewiczs' Misrepresentations.

to prepare a people for His second oming. He had reiterated the law LONDON, Uct. 16 .- The Standard's He had given anciently, "Thou shait ove the Lord thy God with all thy Shangh i correspondent gives further particulars regarding the American might, mind and streight; and thou shalt ove thy neighbor as thy self? banking syndicate. Mitklewicz, while Although the name of Christ had been trying to get the concession, used the handed down in honor, through the universal apostacy His power was taken from the earth. This power He bad restored in the present age, and had again revealed His will to his children. name of Vanderbilt, which was men- SEMI - ANNUAL DIVIDEND. tioned in the agreement signed by Li Hung Chang. Vanderbilt was warned but not in time to prevent the use of his name. Then Mitklewicz men-tioned the names of Messrs. Gould and Mackay. On Gould's sen denying his father's connection with There was nothing revealed in the latter day that old not accord with that revealed anciently, but it was in many respects more plainly adaptable to the understanding and needs of the peo-ple, because of the changed condithe syndicate, Mitklewicz engaged stock of the Institution, payable November Barker Bros., of London, who, after. 5th, 1857. to all Stockholders of record on consulting a large basking firm of lons; it sets forth the organization of London, pronounced the scheme un-tenable. It transpires, mercover, that whatever rallways and other works should be undertaken with money raised in America were to be mortthe Church, and gives rules for the guidance of the officers and members. The Saints used the Bible as the word of the Lord. Yet without that record they had obtained in modern times, revelation for their guidance to saiva-tion. In the Doctrine and Covenants, section 56, verse 29, the Lord had degaged to the syndicates.

New York Stocks.

NEW YORK, Oct. 17, 11 a.m. - The stock TO SHEEP MEN ! "And if ye are purified and cleansed from market opened irregular this morning, all sin, ye shall ask whatsoever you will in the name of Jesus and it shall be done." with changes from % to % per cent. either way. Dealings soon became





York. Parties wishing GOOD STOCK RAMS will do well to examine my stock bere purchasing elsewhere. ear Stock can be seen at the Colorade

Stock Yards, First East Street, or quire for J.W. Hardy at the Cullan he J. W. HARDY. sl dtf

State Maler

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