

ASTATE CANNOT BE COERCED.

SOME weeks ago we referred to a serious clash which had occurred between a Federal court and those of the State of Virginia. As our readers will remember, the trouble grew out of the state bond question. A state law forbade the acceptance of coupons cut from state bonds in payment of taxes, and a state court sustained the law. The same question was raised in a United States court before Judge Bond, who held that the state was bound to receive the coupons in payment of taxes, and made an order restraining the attorneys of the state from entering suit against taxpayers who had tendered them.

In violation of the restraining order of the Federal court, but in pursuance of the decision of the State court and of the statute, certain attorneys of the commonwealth proceeded to sue taxpayers. Judge Bond ordered them imprisoned for contempt, and *habeas corpus* proceedings were instituted in the Supreme Court of the United States. The result was stated in our dispatches the other day. It is, in brief, to the effect that the suit pleaded before Judge Bond was one to coerce a sovereign state, which could not be done at the instance of private individuals; and that his restraining order was in violation of the eleventh amendment to the Constitution.

This decision is in line with a current of events which have taken place under the present administration, and which are calculated to counteract the tendency towards centralization, and the assumption of undue power by Federal agencies, officers and institutions, which became so marked before the party of Jeffersonian principles came into power.

CONCERT AT LAIE.

LAIE, Nov. 16, 1887.

Editor Desert News:

I fancy a few items of musical affairs at Laie will not be uninteresting to our Utah friends; especially as young Utah is nothing if not musical.

The natural abilities of these dark people bear a sort of resemblance, musically speaking, to the dusky descendants of Ham. Rarely do you meet with a Hawaiian of either sex who cannot carry a tune, and generally in the clearest, most resonant of voices. But unlike their darker relatives, their taste runs not into minor music. One peculiarity of their various *meles* or songs is often remarked: they are composed of but one strain, repeated over and over. While our music always contains two or more changes or strains.

The choir here was a loud, hearty, hoisterous lot, singing over and over the hymn tunes, just as our good old country choirs used to do. Brother Isaac Fox, I think, was the first white singer who took charge of this crude material, and he laid a very good foundation upon which Brother McNaill and later Brother Fred. Beesley have built a very creditable and indeed the organization.

Brother Beesley is indefatigable and we listen with delighted ears to his fresh, clear voices ringing out in such anthems as "When the Lord shall build up Zion," "I waited patiently," etc., translated into their own language.

The brass band is also ably conducted by Brother Beesley. Last conference the band and choir under his management gave an excellent concert on the evening of October 8th, for the benefit of the band.

Oh ye dwellers in the country, fancy yourselves in a schoolhouse much like your own, while city denizens remember the *alma mater* of their youth; do you see what a disconsolate sort of an illumination is given, by the few lamps scattered here and there, and like your own hoodlums, our dark rowdies are whistling and snuffing; while Robert and Jimmy bustle through the audience and back on to the stage full of business and care? I don't know who first discovers the fact that the crowd are congregated at the various windows quite determined and able to see the whole performance without offering any duca. Down go the windows! Away! Fleas; the odorous native, and the sultry, breathless night, make the place a sort of inferno! But in spite of our vigorous protestations, offered up in loud and commanding tones, shawls are deliberately pinned up over the windows, serving the double purpose of preventing the rabble outside from looking in, and the poisonous breaths of those inside from going out. But it is no use, so we resign ourselves to martyrdom as calmly as possible.

By and by, our patience, like that of the crowd about us, completely gone, we are about to groan and depart, when "tinkle, tinkle," says the bell, up goes the red calico curtain, and there is the choir.

But do you know we were so interested in the shawl business that I omitted to call your attention to the entrance amid flutterings and twitters of the female members of the choir. Gorgeous and wonderful are their various toilets, Mele Ema's dress being as ridiculously youthful and short for her age, as May's is long and old womanish for such a child. Some of them, however, look tasty and nice, especially little Vickie Coles and Hana, resplendent in pink silk, Carolus and Jennie look neat and pretty. While we have

been whispering the organ prelude is finished and the opening chorus is commenced. The band follows the opening prayer in a sprightly waltz tune, and you quite enjoy the familiar country style in which the various performers go up and down from stage to audience, pulling aside the curtain to ask a question, or give a bit of advice to someone on the other side.

In like manner the very audible whispering and laughing behind the brilliant calico curtain fills up the interstices "between the acts," and is anything but annoying. We invariably stop Robert to ask him what comes next, or quiz Jimmie as to the cause of the lengthy waiting, for you see they are the all-important stage managers. Robert comes forward always as soon as the curtain is drawn up, and announces in English and native what the next thing will be, and you confess it is much easier and more simple than the fashionable programme, which one always loses just at the commencement of the second act.

A solo by Mele Ema, whose glorious voice soars out, sweet and clear as a silver bell, full of pathos and beauty, sometimes augmented by the soft mellow alto of Anule Apua; it charms you into forgetfulness of earth and earthly things. But you are speedily brought back by the shouts of two of our little babies, who have found their way up to the low stage, and clambered upon it fearlessly to assist in the performance.

Isn't it delightful to watch the two young couples in front of you, the girls with aesthetic snufflers in their hair, and the regulation excuse for a bonnet which appears at regulation theatres, the young men beaming and attentive? Doesn't it increase the pressure of John's arm over his wife's chair, and soften her voice as she answers, "Yes, John, I see them?" Then you listen amused and pleased to the feeble little trio, "Three Blind Mice," translated into *Kolo-tolo make po*, and laugh your heartiest at En Barrell, Fred. Beesley and M. Naill, for their voices and actions are worthy of comedians of the first class. All Salt Lake knows what delight one has in listening to a male trio from such voices as theirs.

The evening grows on apace, and Lulu Gates' little song is bravely applauded, and the dreadful play of the "Demon of the Bottle" holds the audience enthralled; it was indeed capital, but would have been better if the red fire, which was bought in Honolulu to embellish the various entrances of the Demon and the spirits he invokes, had not been burned up in the fire of a few nights previous; and if the hole in the back scene had not been quite so large, as through it the principal actor's (Naibi) part was whispered to him, and if Hana, who was supposed to be the starving wife of a drunkard and had been attired in something less gorgeous than satin and lace; and if the Demon had tuned his presto, *helo*, comrades to meet the glare of gunpowder which persisted in "not going off" until some time afterwards; and if the audience hadn't persisted in looking upon the whole piece as a huge joke, laughing and cheering—most amused at the most solemn parts.

However, it was good. And when young Knoch started in with his "magic," we all were quite amused by the immense wonder and consternation of the simple natives around us. His various tricks, (which, by the way are very neatly done,) were greeted with a chorus of *Aunies* and *Kais*, the visitor from Kaula, Kioke-Peters, standing aloft on his seat the better to see and admire, his constant *Tas* and *Pohithino* coming out with great gusto.

I am sure it is hard to tell which amused the audience the most, the performers on the stage or the babies off it. For saucy Joseph and pretty dainty Vera will persist in playing coo-peek through the benches, while our fairy Violet and handsome baby Fred die chatter and gabble on their mamma's laps with a bewitching disregard of politeness.

The funny farce of the "Haunted House" closes our evening, and I am sure if you had been here you would have agreed with us that Brother Beesley and his aids have done extremely well, and that all can unite in giving him a hearty cheer for his unwearied labors.

MORGAN STAKE CONFERENCE.

The quarterly conference of Morgan Stake was held in the Stake Tabernacle at Morgan Saturday and Sunday, November 26th and 27th.

The conference was not very well attended owing to the dreaded disease diphtheria being so prevalent in parts of the stake. Though the meetings were small, yet a good spirit prevailed and much valuable instruction was given. Among those who addressed the conference were Samuel Francis, Jr., and Wm. Rich, lately returned missionaries, and Apostle Franklin D. Richards. The instruction given by Apostle Richards was especially adapted to the wants of the people and was greatly appreciated by them.

The reports of Bishops, with one or two exceptions, were very gratifying, and showed the wards over which they presided to be in a good condition both temporally and spiritually.

The conference was brought to a close at 4:30 p. m. Sunday, and the people departed feeling they had been highly paid for coming together.

ALONZO FRANCIS, Stake Clerk.

Dead in its Mother's Arms.

On the morning of the 25th instant, at Rexburg, Idaho, Sister Saurey, the wife of Brother Fred Saurey, awoke to find their only child, a babe about six weeks old, dead in her arms. There had been a social party and dance at the house the previous night, and the mother, probably being tired, slept too sound to notice the little one being covered up closely, as the night was very cold, until too late. The grief of the parents is great at the sad event.

On the same day Brother John H. McCulloch, formerly of Logan, Cache County, died of inflammation of the lungs. He had been sick about two weeks. He was born November 12th, 1851.

The above is communicated by a correspondent, "Staccato," at Rexburg.

Lynchers Convicted.

A dispatch from Socorro, New Mexico, dated December 2, says: Pat Carmody, Desiderio Jofia and Romualdo Gonzales, indicted for the hanging of Wiggins, in San Marcial, thirty miles from Socorro, in August, 1882, were today convicted in the district court of murder in the first degree. The jury was out twenty hours. At the time he was hanging occurred there was a Mexican mob under full headway, and at which these men were attending, and they left for the house of Wiggins, took him out of bed and hanged him to a tree close by. Carmody, at the time of the hanging, was one of the leading citizens of that town, but since he has taken a backward step. There were three others connected in the crime, but they have so far eluded the grasp of the law. The three men were sentenced to be hanged at Socorro on December 30, 1887.

Cedar Fort Items.

The people of Cedar Fort, Utah County, have undergone quite a severe siege lately. Every person susceptible of taking the measles has had them. The disease has been of a virulent type, several deaths having resulted from the epidemic. Most of the patients are now convalescent. Every house has been visited by the contagion.

The good folks of Cedar Fort are giving the boys a supper and dance tonight as a recompense to the young men for supplying the poor of the ward with fuel. All have done admirably.

It has been snowing all day and the "beautiful" is about six inches deep.

Two weddings will be celebrated in this burk on Monday next.

The valley is covered with sheep. Nearly all the sheep men are moving their flocks west for winter pasturage. The snow is quite timely.

Cedar Fort, Dec. 2, 1887.

A "Hand Grenade."

Friday evening about 8 o'clock a lady who resides on the bench was trying some doughnuts, using a tin utensil for the purpose. Presently the bottom of the vessel began to leak, and in a short time it fell apart, allowing the hot lard to run over the stove. It immediately caught fire, and in an instant three flames flared up to the ceiling, filling the lady with alarm and the house with smoke. She tried in several ways to smother the flames, and had one of her hands slightly scorched. Suddenly bethinking herself of a large can of soda which her husband had received as a sample of that article, she rushed to the cupboard and grasped the can. Procuring a handful of the soda, she pelted the flames with it, and was gratified by seeing them suddenly subside, and victory was on the side of (baking) powder. No damage was done except that the furniture near by was scorched a little, and the lady was left with an aching head. The owner of the house states that he would not be without the baking powder now, as he considers it better than any other fire-extinguisher. —Ogden Herald.

Caught Between the Cars.

Last Sunday afternoon about four o'clock, Mr. Edward Chatelain, a young man of about 27 years of age, who is well-known in this city, where he has been employed at the depot about six years, was a victim of a severe and painful, though not necessarily dangerous, accident. It seems that he was making a coupling between a box and a fruit car, the latter having what is called a Miller drawhead. The latter is of a slim and somewhat rounded nature, and as there was a curve in the road, at the place where the cars were located, the drawhead missed each other and the two came together. Mr. Chatelain endeavored to move from between the cars in time to avoid being caught, but to platform of the fruit car struck him and he was tightly squeezed between the two cars. The platform was high enough to catch him across the breast, and in that part of the body he sustained the worst injury.

He was taken home immediately after the accident, and he was insensible until this morning. He has suffered great pain since the accident. It is thought by Dr. Perkins, who attended him, that his bones were broken, but it was impossible to determine what the extent of his injuries are, internally. The injured young man was resting quite easily yesterday afternoon, and his many friends will hope for his speedy recovery. —Ogden Herald.

Will Beat all Competitors.

Omaha, Dec. 6.—It is understood that the syndicate of the St. Paul, & Milwaukee, Northwestern and Rock Island roads will put on fast trains between Chicago and Omaha next Sunday. Though the announcement to that effect has not as yet been made definite, the superintendents of all these lines are busily engaged in the preparation of new time tables and one date of starting depends entirely upon them. It will not be later than one week from next Sunday. A St. Paul official said yesterday: "I will be able to give you some good information in a day or two, and when our road does put on a fast train she will leave Omaha three hours later and get to Chicago just as soon. None of the roads can run a fast train equal to the Chicago, Milwaukee & St. Paul."

It is stated that the Union Pacific, spurred up by its formidable competitor, the Burlington, will change the time of its limited overland train. The new scheme is to start the limited train for San Francisco from Omaha in the morning instead of the evening. This is in conjunction with the proposed reduction in time by the Rock Island, Northwestern and Milwaukee & St. Paul between Chicago and Omaha, and the time that the Union Pacific and Central Pacific can yet do ten over the present schedule will make a still further reduction of about twelve hours in the time between Chicago and San Francisco. Under the present schedule a traveler who reaches Chicago on the limited train from the east must lie over in that city for half a day in order to take the limited train from there to Denver and San Francisco, and this will be obviated if the Union Pacific limited starts from Omaha in the morning instead of the evening. —Denver News.

Provo Points.

A communication from an eastern merchantile house to their attorney at Provo about compromising a claim, says that it will be the first "Mormon" suit that has not each paid 100 cents on the dollar, and they have taken particular pride in the Utah showing of a far as the "Mormon" trade has certainly had an excellent financial record, and they dislike to see it broken, but would accept the compromise, etc. This seems about the way business men look on "Mormon" trade generally.

The Chamber of Commerce meet tonight to discuss the lead question.

On Saturday Erastus L. Gee-Sagers, was arrested by deputy McLellan on a charge of bigamy and taken before Commissioner Hills. The evidence shows a pretty clear case. On failure to give bonds he was taken to the pen. This is a gentle case.

Yesterday a conference of Seventies was held at Provo for Utah Stake, showing ten quorums all full and in good working order, with but one or two exceptions. There were present of the Presidency of the First Quorum H. S. Eldredge and S. B. Young. It was pronounced an unusually interesting conference.

Provo, Dec. 5th, 1887.

Disgraceful Conduct at Provo.

Some peculiar proceedings occurred at the meeting of the Salvation Army last night. During the services the captain delivered an address in which he cried out, "O Lord Jesus! Let the fire from heaven descend among this congregation." He had no sooner uttered this fervent appeal, than a bunch of fire-crackers, attached to the coat-tail of a young man in the audience, was lighted. The popping and cracking of the combustibles made the young man jump with affright, and he immediately darted from his seat, rushed on the stage, and scattered confusion among the people. Women faint, men yelled for police, and the hoodlums added to the scene by singing, "The Lamb, the Lamb, the bleeding Lamb." All rushed to the door and were surprised to find it guarded by a man dressed up as an Indian chief, armed with a tomahawk. Complaints have been sworn out against John and Jacob Westfall, and George Collins for being the ringleader, and they will have bearing before Justice Booth. —Territorial Enquirer, Dec. 6.

A Wichita Tragedy.

A dispatch from Wichita, Kansas, under date of December 6th says:

This morning at 9 o'clock was enacted one of the bloodiest tragedies that ever occurred in this city. J. E. Johnston, a prominent and wealthy real estate man, shot his wife and then himself, but dying about instantly. The Johnstons lived in the finest house in the city and their married life was generally considered a happy one. For some time, however, Johnston's health has been poor, and this is supposed to have affected his mind and led to the terrible deed. Once before he attempted to take his own life, and had then threatened self-destruction. The victim elapsed 18 years ago from Warsaw, Illinois, and were married at Alexandria, Mo. Four children, ranging from three to ten, were left orphans by this tragedy, and fall heir not only to the large estate of their parents, but will be heirs to their aged grandfather, R. W. Block, a millionaire. On account of the prominence of the parties the affair has created a profound sensation throughout the community.

A Brakeman Killed.

A fatal accident occurred at Soldier Summit, near P. V. Junction, on the D. & R. G. W., on Sunday morning, the victim being James H. Brennan, who died yesterday from his injuries. He was engaged as a brakeman, and being through with his day's work went into the caboose of a long east bound freight to sleep. The train was too much for the locomotive, to draw up the hill, so it was cut in two. The back part of the train began sliding down the hill, and as all the efforts of the brakeman in charge to stop it were unavailing, he jumped to save himself. The sleeping brakeman was all unconscious of the terrible fate in store for him. When the train reached a curve the caboose left the track and was demolished on a pile of rocks. One after another thirteen freight cars were piled up in the wreck. It was some time before the train men could get to the awful scene, and when they did they found young Brennan horribly bruised and almost frozen, about 75 feet from where the shattered caboose lay. He was brought to the Sister's Hospital and died yesterday. He was a native of Girardville, Pennsylvania, where his father now resides, and would have been 21 years of age the latter part of the present month. He had been in the employ of the railroad company but five days. A brother of the deceased was also engaged as a brakeman on the same road.

ELY'S CATARRH

Cream Balm. ELY'S CATARRH CREAM BALM. CURES COLD IN THE HEAD. HAY-FEVER. BRONCHITIS. SORE THROAT. RHEUMATISM. PRICE 50 CENTS. ELY BROS., NEW YORK.

TRY the CURE. A particle is applied into each nostril and is agreeable. Price 50 cents at drug stores, by mail, registered, 60 cts. ELY BROTHERS, 133 Greenwich St., New York.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION: One roan HORSE, 7 or 8 years old, shod all round, branded on left thigh, on right thigh.

If not claimed and taken away within ten days, it will be sold to the high cash bidder, on Tuesday, December 13th, 1887, at 10 o'clock a. m., at the estray pound at Herriman.

J. J. FREEMAN, Poundkeeper.

Herriman, December 3, 1887.

ESTRAY NOTICE

I HAVE IN MY POSSESSION: One light roan COW, about 7 years old, under notch in right ear, brand supposed to be L E on left hip.

One light roan yearling HEIFER, no marks or brands visible. One brown two-year-old HEIFER, small white spot on forehead, some white on belly, under slope off left ear, branded on left hip.

One red and white two year old HEIFER; swallow fork in left ear; branded on left hip.

One red and white spotted three year old HEIFER; no marks of brands visible. If not claimed they will be sold on Wednesday, December 14th, 1887, at 10 o'clock a. m.

J. R. MILLER, Poundkeeper.

South Cottonwood, Dec. 2, 1887.

LEGAL NOTICE.

In the Probate Court of the County of Salt Lake, Territory of Utah.

In the Matter of the Estate of Mary A. Hooper, deceased.

Order to show cause why Order of Sale of Real Estate should not be made.

L. S. HILLS, THE ADMINISTRATOR of the estate of Mary A. Hooper, deceased, having filed his petition herein, praying for an order of sale of certain real estate of said decedent, for the purposes therein set forth, it is therefore ordered by the Judge of said Court, that all persons interested in the estate of said deceased appear before the said Probate Court, on Thursday, the 29th day of December, 1887, at 11 o'clock in the forenoon of said day, at the Court Room of said Probate Court, at the County Court house, in the City and County of Salt Lake, Utah Territory, to show cause why an order should not be granted to the said administrator, to sell so much of the real estate of the said deceased at private sale as shall be necessary and that a copy of this order be published at least four consecutive weeks in the DESERT WEEKLY NEWS, a newspaper printed and published in said City and County.

Dated November 25th, 1887.

ELIAS A. SMITH, Probate Judge.

TERRITORY OF UTAH, County of Salt Lake.

I, John C. Cutler, Clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of Order to show cause in the matter of the Estate of Mary A. Hooper, deceased, as appears of record in my office.

In witness whereof, I have hereunto set my hand and affixed the seal of said Court, this 25th day of November, A. D. 1887.

JOHN C. CUTLER, Probate Clerk.