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SALT LAKE CITY, - MAY 28, 1906

THE COURTS AND THE CHURCH.

The Church of Jesus Christ of Latter-day Saints is so organized that disputes arising between any of its members may be settled without litigation. The proper order is that if a member has a grievance against another, he should go to the person who he believes has injured him, and endeavor to come to a settlement or agreement. Failing in this, he may, unless he desires to forgive his brother, or sister as the case may be, without further dispute, obtain the aid of the Teachers whose duty it is to see that there is no iniquity in the Church, neither hardness of heart nor evil speaking, and with their aid settle the difficulty.

If that cannot be thus accomplished, he may enter a charge against the offender in writing, addressed to the Bishop of the ward in which the offender resides, specifying his complaint. The Bishop, with his counselors, will then take action in the matter, and when necessary will sit in judgment upon it, either before his court the accuser and the accused, each to appear with their witnesses at a given place and date. The parties are then permitted to present their case, pro and con, and to establish their side of it by witnesses and documents if need be. The Bishop, with the aid of his counselors, then renders his decision, which, to be valid, must be supported by at least one of the two counselors.

If the decision is not satisfactory, an appeal may be taken to the High Council of the Stake to which that ward belongs. It consists of twelve High Priests chosen and sustained as High Councilors by the conference of the Stake, and the council is presided over by the Stake presidency. That body will investigate the matter, taking the minutes of the Bishop's court as the basis of their deliberations, or hearing the case de novo, in any event, giving the parties opportunity to testify in their own behalf and plead their cause. Each of the parties is entitled to the aid of a counselor or counselors, and six of the council are to watch the case for the accuser and the other six for the accused. The appeal is then decided by the Stake presidency, according to the evidence, and sustained or amended or overruled, the votes of a majority of the council being necessary to validate the decision.

In case an injustice appears in these proceedings, an appeal may be taken to the Presidency of the Church for a review, who may endorse them, order a rehearing or take such action as may be deemed right and in consonance with the law of God. All decisions rendered by these courts or either of them must be equitable, fair and in accordance with the testimony given and the facts proven.

Charges of un-Christianlike conduct against any member of the Church may be investigated in the manner herein briefly described. That term covers all kinds of improper conduct. But it must be distinctly specified in each individual case. Mere disputes between members may and should be settled without recourse to the civil courts, but crimes against the law of the State or Nation are investigated and passed upon by the Church courts, simply as they affect the standing and fellowship of the accused. The Church courts do not prevent action by the criminal courts or interfere with their jurisdiction. Every member of the Church is amenable to the laws of the land, as well as to the discipline of the Church. The term "Church member" applies to every individual, from the President down to the person latest baptized into the fold. As members they are all equal before the Church and its rules and regulations.

The Church courts do not assume the right to decide disputes as to land titles or similar matters which require adjudication by the courts of the land. This is a subject that should be clearly understood. But the courts of the Church have the right to judge as to matters of fellowship and the standing of its members. Any act of injustice, dishonesty, cruelty, oppression, fraud or other criminal conduct, may be inquired into and a decision rendered, so far as it affects the standing and fellowship of the accused. This undoubted right of the Church extends to every case that may be brought before its courts, irrespective of the jurisdiction of the civil or criminal courts of the country. The latter cannot determine the question of Church fellowship, and the former cannot influence or affect the decisions of the latter. Each tribunal is separate and distinct in its own sphere.

A person who has been tried for an offense against the secular law, may also be tried by a Church court for acts affecting his standing and fellowship as a Church member. One who has defrauded or injured a brother in the Church cannot be fellowshiped and considered in good standing, unless he is willing to repair the wrong so far as is possible, and repent of his transgression. He may be brought into question on that ground, no matter what may have been the result of a secular investigation.

Supposing a man who has obtained a legal decision in regard to a title to property, in doing so has cheated or taken improper advantage of another, both being members of the Church, may not the ecclesiastical courts, while not attempting to adjudicate the question of the title or interfere with the

judicial decision or verdict, inquire into the question of un-Christianlike conduct and decide whether the offender can be held in fellowship? Most decidedly they may. There is nothing in law which forbids such inquiry and such action as the Church may deem just and right, so far as it may affect the Church standing of the offender.

Consider the question of a just debt. The civil law limits the time in which debts contracted in different ways may be collected. Some are "outraged" after a period of four years from the time they were contracted. In other instances the limit is still further extended. But before God and His Church a just debt is never outlived. If the debtor is able, but unwilling, to settle with his creditor, while the Church has no power and does not attempt to make collection of debts or compel payment, its courts have the right to decide the question of un-Christianlike conduct on the part of the individual who refuses to settle with his brother in the Church, according to righteousness and honesty, and decline to fellowship him or extend to him the privileges of Church membership.

Inability to pay a debt is of course to be taken into consideration. Mercy and charity, as well as justice, are to be exercised by creditors and by adjudicators. A person may be declared bankrupt and legally absolved from the payment of claims which in themselves are valid, but rendered by the law uncollectable. Subsequently he may come into possession of ample means to settle with his creditors on a fair and equitable basis, and may refuse to do so, taking advantage of the law's protection and enjoying affluence, while a brother in the Church to whom he remains a debtor suffers from the loss sustained and has no legal redress. Can such a person be sustained in full fellowship by the Church, when complaint is made against him? And is he not guilty of un-Christianlike conduct, even though the civil law cannot reach him? Most decidedly, we say, for justice does not die and cannot be set aside by human edicts. It is an everlasting principle and will surely claim its own due season.

A thief, who does not repent and strive to make restitution for his crime, is not a Christian, and one who defrauds his neighbor and when able to do so will not make compensation for his offense, is guilty of un-Christianlike conduct, should not be fellowshiped by the Saints, and may properly be tried by the courts of the Church and his case be investigated on the principles of justice tempered by mercy.

The Church of Jesus Christ of Latter-day Saints makes a clear distinction between the jurisdiction of its courts and those of the civil and criminal law. In theory it holds that neither should in any way infringe upon the other. In practice this is always carried into effect, unless through misunderstanding or ignorance an error is made in the manner of procedure. The Church claims simply the right to decide as to whether it will hold in fellowship members accused of improper conduct. That it possesses such a right, we believe no fair-minded person of any creed or party or position will deny.

Whatever may be said or intimated to the contrary by calumniators, the fact remains that the Church takes this position and has no design or intention to interfere in any manner whatever with the judiciary of the State or the Nation. Its courts are ecclesiastical in their character and affect its members only as to their standing and fellowship. They are governed by Church rules and discipline and are bound to act upon the principles of righteousness, fairness and truth before God and the Church. They act under divine authority and in the fear of the Almighty, and the extent of punishment they have the power to inflict is excommunication. All other penalties are left to the "powers that be," which must be respected within the sphere of their jurisdiction.

THE WEEKLIES.

Goodwin's Weekly and Truth for May 26 are both unusually attractive. They are illustrated numbers and the pictures they present are not only pleasing to the eye but beneficial to the public. The cuts in Goodwin's are beautifully executed and give ideas of western scenery that will open the eyes of many persons unacquainted with this part of our country. Truth publishes a "Proclamation" on the business opportunities of this city with the signatures of a large number of the foremost business men and firms. It is a pleasure to see such marks of enterprise in those papers and to note the absence of anything of a nature to promote ill-feeling. The mechanical work on both the weeklies is worthy of praise and credit is due to them as well as to all efforts to promote the welfare of this State and place its affairs in a proper light before the country. They are good things to circulate throughout the land.

TALKING OF WAR.

They are commencing to talk about another Russo-Japanese war. A Russian general, Baschenow, predicts that the catastrophe will not be postponed for more than six years. According to this prophet of evil, the peace of Portsmouth was but a trace at the close of which Russia will have to face two adversaries, Japan and Great Britain.

These forecasts by a Russian general are made, possibly, in order to influence his countrymen in favor of large military appropriations and personal sacrifices. He goes on to say that Russia's duty is to fortify herself in the far east against all contingencies, and notwithstanding the protest of the Japanese. A strong fleet with Vladivostok as its base is, he claims, an absolute necessity. Orders should therefore be placed at once with shipbuilders all over the world and premiums offered for delivery before contract date, in order that Russia may be in possession of a naval arm as soon as possible. A second line, he adds, is indispensable on the trans-Siberian railway as far as Vladivostok, as well as on the Far East route, while Kamtschatka should be kept in telegraphic touch with the mainland.

His alarming war cry is, perhaps, only intended for effect, but if his pro-

gram in Asia is carried out "notwithstanding the protest of the Japanese," war is pretty sure to follow, and the Chinese will, in all probability, take a hand, then. It is true that the Japanese did not like the Portsmouth peace conditions. They acquiesced, in ominous silence. It would not take very serious provocation to call them out again. If Russia is to continue her Manchurian policy, another war is more than probable, unless the questions involved can be referred to The Hague tribunal.

VIOLENT PROTESTS.

The sentiment in England, among Protestants, is very bitter on account of the renunciation of the faith of the Church of England by Princess Ena. Recently a meeting was held of clergy-men, on which occasion rather violent protests were made. The chief trouble seemed to be that the Princess "will be a valuable agent in bringing other converts to the Church of Rome," also that, "by the vows she has taken she has declared her uncle, King Edward, worthy of eternal damnation."

One speaker went so far as to declare: "Princess Ena is to be pitied for receiving the blessing of the Pope and having the Order of the Golden Rose bestowed upon her. No one who ever got that blessing prospered, and it is notorious that the bestowal of the Golden Rose is always followed by a calamity to the receiver."

WAR OF THE WORLDS.

In order to understand the reason for the strong outbreak of feeling in a country where the blessings of religious liberty are abundant, it must be remembered that the impression is very general that her conversion is not genuine, but that it was brought about by the alluring prospects of a throne. It is one of the great principles of Protestantism that the individual must be free to follow the dictates of his own conscience in matters of worship, but if the law demands the occupants of certain positions to worship in a certain way, they are not free, in that position, to act on that principle. They are deprived of one of the indispensable rights of man. That is the objection to all laws that make it obligatory upon kings and queens to profess one special brand of religion, be it Catholic or Protestant. Rulers should have the same liberty as subjects have.

UNITY IN NON-ESSENTIALS.

One of the remarkable tendencies of our time is manifested in the various attempts made to unite different churches in common efforts. The realization of this ideal is possible to some extent because creeds have become less essential than they were when the great battles about dogmas were fought in the world, and it became necessary to hold the standards aloft, to prevent the warring forces from scattering in wild confusion. Denominations no longer fight for dogmas, unless in exceptional instances. There is no longer the same need of standards. The practical sense of the age is fast asserting itself over petty jealousies, and efforts at co-operation, and even union, are the result.

One of the surprising manifestations of the tendency of which we are speaking, is a circular letter addressed to all Christian ministers in Great Britain in advocacy of a reunion of the churches. The appeal was signed by the Archbishops of Canterbury and York, the Presidents of the United Methodist Free churches, the Wesleyan Methodist conference, the Baptist union and the Methodist New Connexion church, the Chairman of the Congregational union, the Moderators of the English Presbyterian church, and the general assemblies of the church of Scotland and the United Free church. The Roman Catholic Archbishop of Westminster, Dr. Bourne, expressed his sympathy, though he did not sign.

From the reports we have seen it does not appear what the purpose of this "reunion" is, but it is suggested that the signers feel the necessity of united action in opposition to the liberal education bill, which the leading churchmen oppose as "a merciless abuse of power, a gross suppression of conscience and a flagrant denial of Christian liberty." But be the real motive whatever it may, the fact that Anglicans and dissenters, Calvinists and Armenians, Pædobaptists and Baptists find it possible to co-operate for any purpose whatever, is a long stride forward from the time when the flames of Smithfield spread a lurid glare over Christendom.

"Wear a smile," says Rev. Dr. Hillis, and wear a "smile."

Has "cloudy with local showers" become a permanent arrangement?

Kedar's tents aren't in it with those in Golden Gate Park.

Premier Goremykin read his statement to the Duma and others read between the lines.

It must make Guggenbaur jealous to see with what ease and rapidly the automobile crushes its victims.

Railroad employees taking stock from coal companies isn't graft at all; it's simply "business."

"An interesting debate" in Congress now means bitter criticism and recrimination.

In Chicago they fine lemmings who give short weight. The same practice should be adopted in Salt Lake.

Had Sarah Bernhardt not been in a railroad accident, her American experiences would have been incomplete.

The Madrilenians gave Princess Ena a genuinely enthusiastic reception, largely, no doubt, because all the world loves a lover.

It is believed that if Dowle should die Voliva would attend his funeral, not so much out of respect for his memory as to make sure.

Should the President come out as an advocate of a sea level canal how soon would the ranks of the advocates of a lock canal be decimated.

Princess Ena's wedding cake is six feet high and weighs more than three hundred and forty pounds. It must be a perfect dream.

Appealing to the President to use his influence to have families reunited

that were separated by the San Francisco disaster, comes perilously near "paternalism in government."

The grand jury of the United States circuit court at Nashville, Tenn., which has been investigating the alleged fertilizer trust, has returned an indictment against about eighty fertilizer manufacturers. Among fertilizer is the legitimate place for using the muck-rake.

"My instructions were to kill competitors, and I was told that if I could not do the job somebody else would be sent to take my place," testified George L. Lane, a former employee of the Standard Oil company, before the Interstate Commerce commission at Cleveland. Evidently the S. O. C. company had read French history, for the instructions read wonderfully like that ordering the massacre of St. Bartholomew. "Kill all, God will know his own."

Women of Nordhausen, Germany, have been forbidden to wear trailing skirts within the boundaries of the town, as the practice is said to scatter germs and dust and so to constitute a public nuisance. The police are ordered to arrest all offenders, who will be liable to a fine of \$5 for the first offense and imprisonment for a repetition. The reasonableness of such legislation may be questioned, but why should any woman desire to wear a trailing dress in the streets?

WAR OF THE WORLDS.

London Truth.
The truth, of course, is that our material earth, which we are accustomed to regard as the type of immovable solidity, is as fragile an object as a soap bubble. If it came into collision only with another bubble of the same magnitude, it would disappear almost instantaneously; and considering the terrific pace at which it travels, and the stresses and strains that it constantly undergoes from the sun, the moon, and its fellow planets, the only wonder is that it has hung together as long as it has. Within the last few months its delicate constitution seems to have been severely tried, and it is pretty certain that we see the result in numerous earthquakes and volcanic eruptions. My own notion is that the ultimate cause of these phenomena must be astronomical in origin. Scientific men seem rather to discountenance that idea, but it seems to me more reasonable to look for the explanation outside the bubble within it. Of course, it may be that such phenomena as the result of a general election, the strikes in France, the disturbances in South Africa, and the recent commotion among the Anglican bishops are explicable in the same way. But here we get out of astronomy into astrology.

THE OATH OF MAN.

New York Tribune.
The judicial oath in the Isle of Man is so quaint as to deserve printing. It runs thus: "By this book and the holy contents thereof, and by the wonderful works that God hath miraculously wrought in heaven above and in the earth beneath in six days and seven nights, I do swear that I will, without respect of favor or friendship, love or gain, consanguinity or affinity, or any of malice, execute the laws of this Isle faithfully between our sovereign lord the king and his subjects within this Isle, betwixt party and party, as indifferently as the herring's backbone doth lie in the midst of the fish."

MOST-SPOKEN LANGUAGE.

Chicago Journal.
The most-spoken language is Chinese, but as there are so many dialects in the language, and as these differ so greatly in the countries of Mongolia and Tibet from those around Peking, it is scarcely correct to say that the \$32,000,000 Celestials all speak one language. Putting therefore, Chinese aside, the most-spoken languages in the world are as follows, in millions: English, 120; German, 70; Russian, 68; Spanish, 44; Portuguese, 32. If we were to measure them in ratio on a two-foot rule we would get the following results: Portuguese, 4 inches; Spanish, 5 1/2 inches; Russian, 8 1/2 inches; German, 8 3/4 inches; English, 1 foot and 3 inches.

JUST FOR FUN.

Temper With Mercy.
Lady—See here! Ain't you ashamed to be hitting that poor horse with that whip?
Driver—I be mum. He don't mind it a bit. Would yed kindly hand me dat fence rail?—Judge.

Ambiguities.
"Niels Anderson met with a painful accident last week, a fish-hook becoming entangled in his eye. Niels is being attended by Dr. Phil Morton, who says his eye will come out all right."—Harper's Weekly.

A Hot Pursuit.
Mrs. Naylor—What is your husband's pursuit in life?
Mrs. Subbuss—The seven-forty train.—Judge.

The Explanation.
Belle (in Stock Exchange gallery)—What a hubbub! Why don't they sit down and rest?
Maude—Oh, it's too expensive. Richard told me the stock here costs thousands of dollars.—Boston Transcript.

Fair Warning.
Woman—Now, if you don't leave at once I'll call my husband—and he's an old Harvard football player.
Tramp—Lady, if you love him, don't call him out. I used to play with Yale.—Judge.

Up-to-Date.
"Are you a burglar, my man?" asked the householder. "No," responded the man with the dark-lantern. "I am an agent of the Society to Limit the Size of Great Fortunes."—New York Herald.

By George, but I've got a jewel of a girl. I proposed by wire and told her to answer at my expense."
"Well?"
"And the frugal little thing waited until 9 p. m. and got night rates."—Louisville Courier-Journal.

RECENT PUBLICATIONS.

The June number of The Black Cat contains a \$300 prize story by Frank Little Pollock, entitled, "The Sign of Scorpio," also a \$100 prize story, "A Corner in Smiths," by Chapin Howard. The other three stories are, "An Opium Dream," John Trask, "Mary Caroline," E. H. King, and "The Twelfth Tower," Don Mark Lemon. This little magazine maintains its well-known high standard among story-tellers.—144 High St., Boston.

Human Life for June, has an illustrated article on "Dowie—The Spent Rocket." It is a very good estimate of that human enigma. Another article has Maxine Gorke for theme. The writer calls his lady companion Mrs. Gorke, and gives some interesting data about her as well as about the Russian revolutionist. "Confessions of a Newspaper Man" is a paper by Alfred Henry Lewis, in which the author presents some interesting information. The number is full of good things.—Human Life Pub. Co., Boston.

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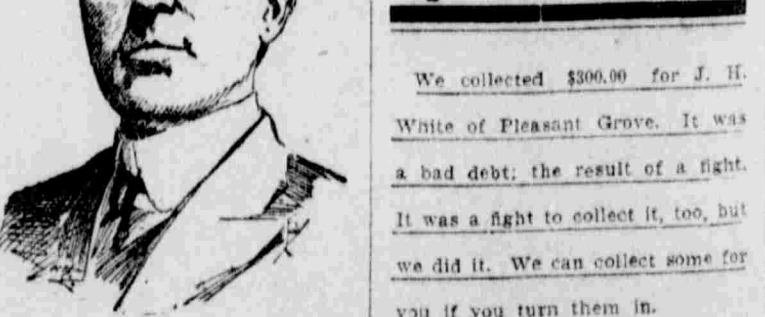
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