

# EVENING NEWS

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CHARLES W. PENROSE, EDITOR.

Wednesday, April 2, 1884.

## ANNUAL CONFERENCE.

To the Officers and Members of the  
Church of Jesus Christ of Latter-day  
Saints.

As the Sixth of April, the day ap-  
pointed for holding our Annual Con-  
ference, falls on Sunday, we deem  
it proper to commence the Conference  
meetings on Friday, April 4th, 1884,  
at 10 o'clock a.m. at the Large Tabernacle  
in this city.

Trusting this arrangement will suit  
the convenience of the officers and  
Saints generally, and that there will be  
a punctual attendance at all the meet-  
ings, to which you are hereby invited.

We remain your Brethren,  
JOHN TAYLOR,  
GEORGE C. CANNON,  
JOSEPH F. SMITH,  
First Presidency of the Church of  
Jesus Christ of Latter-day Saints.  
SALT LAKE CITY, March 12, 1884.

## THE RIGHT TO DIFFER.

THE legal tender decision, recently  
rendered by the Supreme Court of the  
United States, continues to elicit ad-  
verse criticism from the local press,  
and from the press. Members of  
Congress also join in the wide-spread  
condemnation of the ruling and, ac-  
cording to the logic of anti-"Mormon"  
papers, "treasonable utterances" have  
become astonishingly common among  
people moving in the highest intellec-  
tual and official circles. But if it is  
"rebellion" and "treason" when a  
"Mormon" argues against a Supreme  
Court decision, the violent criticism  
and scathing comments of bar and  
press against this recent ruling are  
equally "rebellious" and "treason-  
able."

Judge Buckner, of Missouri, chair-  
man of the banking and currency com-  
mittee, in reply to the question, from a  
New York Herald representative,  
"What do you think of the legal tender  
decision?" replied:

"I am not only surprised, but as-  
tonished. The conclusion of the Court  
is not more astonishing than the rea-  
soning by which it is reached. It seems  
to proceed upon the idea that if, inas-  
much as the Constitution does not in  
terms prohibit the making of the obli-  
gation of the United States a legal ten-  
der in discharge of private debts, the  
power exists in Congress to authorize  
the payment of the debt in clips or  
whatevers. But the prohibition in the  
Constitution is against the only author-  
ity in the United States that has juris-  
diction over contracts—that is, the  
States. They alone have jurisdiction  
over all contracts between individuals,  
and what is a tender and how and when  
it shall be made. To discharge a con-  
tract or debt belongs under our system  
of government to the States. Congress  
Tender is an incident if not a part of  
the law of contract. When the States  
were prohibited from passing laws  
making anything but gold and silver  
coin a tender in payment of debts it  
necessarily prohibited Congress from  
doing so because Congress had no juris-  
diction over the subject of contracts.  
This opinion is centralization in man-  
and it is to stand it will be difficult  
to find a subject of States jurisdiction  
which cannot come within the jurisdic-  
tion of Congressional legislation, un-  
less there happens to be in the Consti-  
tution an absolute prohibition against  
the Federal Government."

After describing the probable effects  
of the decision, which he considered  
would be very disastrous, Judge Buck-  
ner said:

"I have no idea that one in ten of the  
constitutional lawyers of the country  
will accept it as a correct interpreta-  
tion of the Constitution. It is a re-  
vulsion to the memory of the fathers of  
the Constitution to suppose that they  
should have given Congress such despo-  
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erty of individuals after what they  
had seen of its baleful effects exorci-  
sized by the States during the revolu-  
tionary war and during the existence  
of the articles of confederation. It is  
full of future peril to the property of  
the country and of hope to the dema-  
gogue."

Representative P. V. Deuster, of  
Wisconsin, on being questioned, said:

"The decision seems to me to be arbi-  
trarily in the extreme and a perusal  
of it, seems to my mind to lead  
through a labyrinth of words to a con-  
clusion totally at variance with the  
decision of the Court."

The Herald writer, speaking of the  
estimate of the ruling among the legis-  
lators of the land, says:

"The legal tender decision creates  
more and more amazement as its hear-  
ing is considered by members of Con-  
gress, and if the Supreme Court judges  
who united in it could hear the opin-  
ions expressed by able lawyers in op-  
position to the ruling, they would feel  
flattered."

All this sustains the position we have  
taken on the right of the people to  
differ with the Supreme Court and to  
criticize its rulings and reasonings, as  
much as any other department of the  
national government. We have not  
characterized the fact that while such  
rulings stand unrevoked they are the  
end of controversy for legal purposes.  
But we contend that as questions of  
right and reason and logic, they are  
open to debate, and are legitimate sub-  
ject for any one's criticism.

We have frequently given our rea-  
sons for disputing the correctness of  
the decision of the Supreme Court in  
the celebrated Reynolds case, and have  
used similar expressions concerning it,  
to those of Judge Buckner in refer-  
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namely: "The conclusion of the Court  
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pears, will not dissent but very few ex-  
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pretation of the Constitution."

That is our position exactly in regard  
to the ruling in the Reynolds case. We  
look upon the Constitution as the Su-  
preme Law of the Land, and view the  
conclusion of the Supreme Court in the  
Reynolds case as manifestly in op-  
position to the spirit, letter, and intent  
of that sacred instrument, and the rea-  
soning by which the Court arrived at  
its conclusion as shallow, illogical and  
leading to a diametrically opposite con-  
clusion of mind.

the "Mormons" have as good a right  
as any one else, to disagree with that  
Court and express its fallacies of rea-  
soning and fallacies of conclusion.

## A SAMPLE OF SENSATIONAL LUCIDITY.

If some legal legislator who is elected  
by the people to legislate in the name  
of enactments for their welfare, does  
not exhibit perfection both of language  
and of law in his official efforts, he be-  
comes the target for the puerile wit and  
malicious censure of persons who look  
upon a sample of pure digestion, and  
who try to air their profound wis-  
dom in finding flaws. The best of men  
sometimes err, and the most experi-  
enced occasionally make mistakes. Our  
territorial representatives are not pro-  
fessional law-makers, nor are they en-  
gaged in the business to anything like  
the extent that members of Congress  
and State Legislators are employed.  
And yet there are Senators and Repre-  
sentatives in Congress who blunder far  
worse than any territorial assembly-  
man of whom we have any knowledge.  
As a sample we will take Gen. Logan,  
who has spent much time in Congress,  
and who figures as the possible Republi-  
can candidate for the Presidency of the  
United States. He recently intro-  
duced a bill in the Senate, which com-  
menced as follows:

"Be it enacted, That from and after  
the passage of this act, of which this act  
is an amendment."

A local legislator who would perpe-  
trate such a piece of legislative lucidity  
would be roasted by the pundits of his  
vicinity. But read the text of the bill:

"It shall hereafter be lawful for the  
surviving father or mother of all sol-  
diers who shall have been killed in the  
late war, to receive the pension which  
has been provided for the widow of a  
soldier in said service, or who shall have  
died since the war from wounds re-  
ceived in said service, or from disease  
contracted from said service in line of  
duty, shall hereafter be entitled to a  
pension without regard to being de-  
pendent upon said deceased soldier for  
support, etc."

Passing by the expression that makes  
one father or mother the parent of  
"all soldiers who shall have been killed  
in the late war," let us note the pro-  
vision that, "It shall hereafter be law-  
ful for \* \* \* shall hereafter be law-  
ful to a pension," etc.; also that the  
father or mother of all the soldiers  
shall be entitled to the pension "with-  
out regard to being dependent," etc.

Who can explain what all this means,  
and give it anything like a grammatical  
construction?

It is true that a President or a Sen-  
ator may be able to hire a grammarian,  
but it appears to us that a man elected  
to any high position in the government  
ought at least to be able to talk and  
write common sense. Logan may be  
a gallant soldier, but he does not  
figure brilliantly as a legislator nor  
shine with lustre as a linguist.

## BALL BURSTS HIS OWN BUBBLE.

THE bubble that was blown by W. L.  
Ball, in regard to the alleged dissem-  
ination of counterfeit money, has burst  
in a most humiliating manner. The  
States. They alone have jurisdiction  
over all contracts between individuals,  
and what is a tender and how and when  
it shall be made. To discharge a con-  
tract or debt belongs under our system  
of government to the States. Congress  
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soning by which the Court arrived at  
its conclusion as shallow, illogical and  
leading to a diametrically opposite con-  
clusion of mind.

This mission Ball was entrusted with  
a considerable sum of money belong-  
ing to the entire party in common.  
They discovered that he em-  
bezzled quite an amount of  
this money and appropriated it  
to his own use. They soon raised a  
horde of men to his ears, deposed  
him from the leadership and placed a  
man named Moyers in his stead. They  
denounced Ball as a scoundrel, a thief  
and a hypocrite. In consequence of  
his mercenary, mean, contemptible and  
hypocritical conduct he is despised by  
all classes of the community.

## BY TELEGRAPH.

THE WESTERN UNION TELEGRAPH LINE.  
AMERICAN.

## LATEST BY LIGHTNING.

CINCINNATI, 2.—Reports from east-  
ern Indiana and western Ohio say the  
storm last night was very severe and  
that the wind blew a hurricane, pro-  
strating fences and telegraph lines and  
causing considerable damage. Near  
Greenville, the storm was very  
severe. Houses, barns and trees were  
blown down. No lives are reported  
lost.

The Situation in Cincinnati.  
CINCINNATI, 2.—One of the most en-  
couraging outward signs of the supre-  
macy of order has appeared in the re-  
moval of the barricades in the streets  
about the court house. At noon the  
last street cars of the morning Au-  
burn line were permitted to pass  
through after being shut off since Sat-  
urday night. The entire militia force  
has been withdrawn from April except the  
seventeenth Regiment, which remains  
in the city. The latest revised  
list of dead and wounded makes the  
dead 45 and the wounded 138.

Descriptive Cyclone.  
MUNCIE, Ind., 2.—A destructive cy-  
clone struck this county Saturday  
afternoon, completely wiping out Oc-  
kville, seven miles south of here, and  
doing incalculable damage to life and  
property. About 5 o'clock a heavy  
black cloud came from the north. Two  
clouds met at the house of Louis  
Cochran, two miles from Okkville, lift-  
ing it bodily and tearing it into kind-  
ling wood and depositing the fragments  
two miles and a half distant. A minute  
later it struck Okkville, carrying death  
and destruction in its track. Of thirty  
houses in Okkville, all but three were  
torn to atoms. Five persons were  
killed and a sixth and a child nearly  
morning. A large number were injured.  
Fifty are reported wounded. The large  
warehouse and sawmill adjoining the  
city are in ruins, and the scene is a chaos  
of rubbish, of whose ownership it is im-  
possible to tell.

Anna Dearborn, the old lady's son,  
Colonel Johnson and J. James Sanders  
were killed, and two other persons  
whose names were not ascertained.  
Christian Swain lost everything, and  
had his house blown from over his  
head, but he escaped unhurt.

The Apaches.  
WASHINGTON, 2.—Information has  
been received at the headquarters of  
the army from the United States Con-  
gress at Matamoros, Coahuila, that  
the Apache in Northern Mexico, that  
killed Charlie McCombs, was killed by  
the Apache. From talks with the  
squaws at Chihuahua recently captured  
by Mexicans, there can be but little  
doubt that the Apache, who killed  
McCombs, is not over 100 miles north of Chihua-  
hua. It is reported in this country  
that if General Crook had had supplies  
enough in his Mexican campaign to  
have remained in the mountains the  
night longer, he and every Apache of  
these mountains would have been in-  
fernaled. General Crook was com-  
pelled to move on account of the large num-  
ber of squaws and children.

## AN IMPORTANT EVENT SALT LAKE THEATRE.

FOR FIVE NIGHTS ONLY,  
COMMENCING FRIDAY, APRIL 4, '84.

GRAND FAMILY MATINEE, SATURDAY, APRIL 5,  
M. B. LEAVITT'S  
EUROPEAN

## Specialty Combinat'n

UNDER THE MANAGEMENT OF  
MR. ABE LEVITT.

Direct from their San Francisco triumph.  
Press and public unanimous in saying the  
Greatest Specialty Combination that has  
ever visited the Pacific coast. Three weeks  
at the Utah Theatre, to houses crowd-  
ed to the doors. People turned away at  
every performance.

POPULAR PRICES.  
Box Seats open for sale of Seats, Thurs-  
day, at 10 a.m.

## WALKER OPERA HOUSE. CONFERENCE ATTRACTIONS!

Miss A. A. Adams,  
Supported by a Strong Dramatic Com-  
pany will present on

Friday, April 4th, 1884,  
AFTERNOON AND EVENING,  
Two Grand Performances of the Great Ameri-  
can Comedy Drama, in 4 Acts, entitled

## The Planter's Wife!

ON SATURDAY, APRIL 5th, '84  
AFTERNOON AND EVENING,  
THE GREAT PLAY

## HIS AMBER WITCH

Matinee to Commence at 2 p.m. Evening Per-  
formance at 7 o'clock.

Popular Prices of admission. No Extra  
Charge for Reserved Seats.

## WALKER OPERA HOUSE. THREE NIGHTS AND Wednesday Matinee,

Monday Eve., April 7th,  
America's Greatest Character Artists

MR. & MRS. GEO. S. KNIGHT,  
Under the management of Mr. J. H. Havlin.

Monday and Tuesday Matinee, April 7 and 8,  
also Wednesday Matinee, April 8, 9 and 10,  
and Thursday Matinee, April 10, 11 and 12,  
and Friday Matinee, April 12, 13 and 14,  
and Saturday Matinee, April 14, 15 and 16,  
and Sunday Matinee, April 16, 17 and 18,  
and Monday Matinee, April 19, 20 and 21,  
and Tuesday Matinee, April 22, 23 and 24,  
and Wednesday Matinee, April 25, 26 and 27,  
and Thursday Matinee, April 28, 29 and 30,  
and Friday Matinee, May 1, 2 and 3,  
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and Tuesday Matinee, Sept. 19, 20 and 21,  
and Wednesday Matinee, Sept. 22, 23 and 24,  
and Thursday Matinee, Sept. 25, 26 and 27,  
and Friday Matinee, Sept. 28, 29 and 30,  
and Saturday Matinee, Oct. 1, 2 and 3,  
and Sunday Matinee, Oct. 4, 5 and 6,  
and Monday Matinee, Oct. 7, 8 and 9,  
and Tuesday Matinee, Oct. 10, 11 and 12,  
and Wednesday Matinee, Oct. 13, 14 and 15,  
and Thursday Matinee, Oct. 16, 17 and 18,  
and Friday Matinee, Oct. 19, 20 and 21,  
and Saturday Matinee, Oct. 22, 23 and 24,  
and Sunday Matinee, Oct. 25, 26 and 27,  
and Monday Matinee, Oct. 28, 29 and 30,  
and Tuesday Matinee, Nov. 1, 2 and 3,  
and Wednesday Matinee, Nov. 4, 5 and 6,  
and Thursday Matinee, Nov. 7, 8 and 9,  
and Friday Matinee, Nov. 10, 11 and 12,  
and Saturday Matinee, Nov. 13, 14 and 15,  
and Sunday Matinee, Nov. 16, 17 and 18,  
and Monday Matinee, Nov. 19, 20 and 21,  
and Tuesday Matinee, Nov. 22, 23 and 24,  
and Wednesday Matinee, Nov. 25, 26 and 27,  
and Thursday Matinee, Nov. 28, 29 and 30,  
and Friday Matinee, Dec. 1, 2 and 3,  
and Saturday Matinee, Dec. 4, 5 and 6,  
and Sunday Matinee, Dec. 7, 8 and 9,  
and Monday Matinee, Dec. 10, 11 and 12,  
and Tuesday Matinee, Dec. 13, 14 and 15,  
and Wednesday Matinee, Dec. 16, 17 and 18,  
and Thursday Matinee, Dec. 19, 20 and 21,  
and Friday Matinee, Dec. 22, 23 and 24,  
and Saturday Matinee, Dec. 25, 26 and 27,  
and Sunday Matinee, Dec. 28, 29 and 30,  
and Monday Matinee, Jan. 1, 2 and 3,  
and Tuesday Matinee, Jan. 4, 5 and 6,  
and Wednesday Matinee, Jan. 7, 8 and 9,  
and Thursday Matinee, Jan. 10, 11 and 12,  
and Friday Matinee, Jan. 13, 14 and 15,  
and Saturday Matinee, Jan. 16, 17 and 18,  
and Sunday Matinee, Jan. 19, 20 and 21,  
and Monday Matinee, Jan. 22, 23 and 24,  
and Tuesday Matinee, Jan. 25, 26 and 27,  
and Wednesday Matinee, Jan. 28, 29 and 30,  
and Thursday Matinee, Feb. 1, 2 and 3,  
and Friday Matinee, Feb. 4, 5 and 6,  
and Saturday Matinee, Feb. 7, 8 and 9,  
and Sunday Matinee, Feb. 10, 11 and 12,  
and Monday Matinee, Feb. 13, 14 and 15,  
and Tuesday Matinee, Feb. 16, 17 and 18,  
and Wednesday Matinee, Feb. 19, 20 and 21,  
and Thursday Matinee, Feb. 22, 23 and 24,  
and Friday Matinee, Feb. 25, 26 and 27,  
and Saturday Matinee, Feb. 28, 29 and 30,  
and Sunday Matinee, March 1, 2 and 3,  
and Monday Matinee, March 4, 5 and 6,  
and Tuesday Matinee, March 7, 8 and 9,  
and Wednesday Matinee, March 10, 11 and 12,  
and Thursday Matinee, March 13, 14 and 15,  
and Friday Matinee, March 16, 17 and 18,  
and Saturday Matinee, March 19, 20 and 21,  
and Sunday Matinee, March 22, 23 and 24,  
and Monday Matinee, March 25, 26 and 27,  
and Tuesday Matinee, March 28, 29 and 30,  
and Wednesday Matinee, April 1, 2 and 3,  
and Thursday Matinee, April 4, 5 and 6,  
and Friday Matinee, April 7, 8 and 9,  
and Saturday Matinee, April 10, 11 and 12,  
and Sunday Matinee, April 13, 14 and 15,  
and Monday Matinee, April 16, 17 and 18,  
and Tuesday Matinee, April 19, 20 and 21,  
and Wednesday Matinee, April 22, 23 and 24,  
and Thursday Matinee, April 25, 26 and 27,  
and Friday Matinee, April 28, 29 and 30,  
and Saturday Matinee, May 1, 2 and 3,  
and Sunday Matinee, May 4, 5 and 6,  
and Monday Matinee, May 7, 8 and 9,  
and Tuesday Matinee, May 10, 11 and 12,  
and Wednesday Matinee, May 13, 14 and 15,  
and Thursday Matinee, May 16, 17 and 18,  
and Friday Matinee, May 19, 20 and 21,  
and Saturday Matinee, May 22, 23 and 24,  
and Sunday Matinee, May 25, 26 and 27,  
and Monday Matinee, May 28, 29 and 30,  
and Tuesday Matinee, May 31, 1 and 2,  
and Wednesday Matinee, June 4, 5 and 6,  
and Thursday Matinee, June 7,