

# DESERET NEWS:

## WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - MAY 12, 1880.

### GOING TO LAW WITH A BROTHER.

"DARE any of you, having a matter against another, to go to law before the unjust, and not before the saints?" This question was asked of the Corinthians by the Apostle Paul. He mentioned to their shame a great evil that existed among them:

"But brother goeth to law with brother and that before the unbelievers."

This was forbidden to the former-day Saints, and is also forbidden to the Latter-day Saints.

In order to prevent the necessity of brother going to law against brother and sister against sister, the Lord, knowing the weaknesses of mankind and recognizing the need of established authorities among his people, for the settlement of disputes, organized tribunals, in the early days of this Church, to which all litigants within its fold might resort for justice and judgment. Until these tribunals were formally established and recognized by the Elders. The word of the Lord given in February, 1831, was:

"And, if thy brother or sister offend thee, thou shalt take him or her, between him or her and thee alone, and if he or she confess thou shalt be reconciled. And, if he or she confess not thou shalt deliver him or her up unto the Church, not to the members, but to the Elders. And it shall be done in a meeting and that not before the world."

In August, of the same year, the calling of the Bishop was made known by revelation, and among other things it was explained that he was to be a Judge in Israel:

"No Judge his people by the testimony of the just and by the assistance of his counselors, according to the laws of the kingdom, which are given by the prophets of God."

On the 17th of February, 1834, the High Council of the Church was organized, consisting of twelve High Priests presided over by the President of the Church and his two counselors, and the powers and duties of such bodies, whether in the Stakes of Zion or abroad were made known in great plainness, being "appointed by revelation for the purpose of settling important difficulties that might arise in the Church which could not be settled by the Church or the Bishop's council to the satisfaction of the parties." This is a Church court, of appellate as well as original jurisdiction, and a High Council is now organized in each Stake of Zion, presided over by the Presidency of the Stake.

Under these regulations, and with the opportunities afforded of obtaining redress, no member of the Church is justified in reason or by the law of God in resorting to litigation before the world, until the means provided in the Church have been exhausted. The first step in case of a dispute is a personal explanation between the parties. This failing, the teachers appointed for the locality in which the disputants reside, should be called on to assist in an equitable settlement. This not meeting the exigencies of the case, a trial is next in order before the Bishop and his Counselors of the Ward in which the accused person lives. Should this not give satisfaction, it can be appealed to the High Council of the Stake. And if in the proceedings of that body anything improper can be pointed out, an application can be made to the Presidency of the Church, who can decide whether or not a new trial is necessary.

Thus justice can be had within the pales of the Church, without resort to worldly courts of law. For the members of the Church tribunals are elected by the voice of the people and serve without fee. No person in the Church, it matters not what his priesthood or position may be, is above the law of the Church or exempt from its tribunals.

Therefore, the humblest member as well as the highest dignitary has access to the Church courts in case of disagreement, no matter who may be the opposite party.

The history of the Church has proven that fairness, equity, righteousness and impartiality have usually governed in trials in these courts, and that when any other influences have prevailed, the wrong has been eventually righted. Technicalities, trickery, exclusion of evidence that in any way would throw light upon a case, badgering of witnesses, legal objections, special pleading, and all the obstacles that are thrown in the way of truth and justice in courts of law, are discarded in the courts of the Church, and the object in view is equity to all the parties.

Now in view of the word of God in ancient and modern times concerning going to law before the world, what should be done to those who violate these wholesome regulations? The Lord has said:

"And again, every person who belongs to the Church of Christ shall observe to keep all the commandments and covenants of the Church."

If members of the Church will not observe to keep its laws according to their own covenants and agreements, they should be severed from its communion. This is the rule in all religious bodies. When it is carried out in this Church, a cry of intolerance is raised, and those who are interested in promoting strife and increasing litigation, pretend to think that it is a terrible thing that people cannot be allowed their "day in court." This Church does not attempt to deprive any one of the luxury of the law, with its costs and consequences, to his heart's content. But a Latter-day Saint cannot engage in its strifes and heart-burnings with his brethren and be continued in fellowship. If he wants the ways of the world, nobody will hinder his entire association with the world. But, hear it O Israel, he or she that desires the communion of the Saints, must observe the laws and rules of the Church, or be cast out from the fold. "Woe unto them, that are cut off from my Church," saith the Lord, "for the same are overcome of the world," and thenceforth will be "like salt that has lost its savor."

### HORTICULTURAL AND AGRICULTURAL HINTS.

A correspondent of the *Rural New Yorker* gives a method of grafting fruit trees, which he has tried very successfully, and that may be new to some of our readers. In any stock or limb not over six inches in diameter, a cut is made in the bark precisely as "in budding, and the cion inserted instead of the bud. Any number of cions, according to the size of the stock, may be inserted, and grafting wax is all that is needed without tying. The cion should be nearly or quite dormant, and the bark in such a condition as to part readily from the wood. This method has the advantage over the usual mode that if the cion should fail the stem is not injured, and another year may be grafted again.

Here is a grafting wax recommended by the Michigan Pomological Society. Take 1 pound each of resin and tallow and heat them together; remove from stove after heating and let them cool until a scum forms; then add one teaspoonful spirits of turpentine, replace on stove and add 7 oz. of a mixture of two parts of alcohol and one part water, stirring briskly; take care the alcohol does not inflame, as it will if too hot; stir until of the consistency of honey; keep close and use with a brush. If after keeping it gets hard, use more turpentine and alcohol and water. It soon becomes hard and unchanged.

Pruning, as a rule, should not be adopted to any great extent when the sap is rising. But in case of the removal of large limbs, nothing is better to apply to the wounds than gum shellac, dissolved in alcohol till it has the consistency of paint.

The value of selected and specially grown seed has been frequently dwelt upon by agricultural writers. Dr. Sturtevant says in the *New York Tribune* that Wauashakum Corn, in three years' breeding, has increased in weight from 56 pounds to 64 pounds per bushel for the selected ears; from an open ear to a close, compact, cylindrical ear; from a crop

that varied greatly in size, shape and quality of ear, to at present a crop of excellent uniformity, and extremely few unmerchantable ears. Per contra, a single ear selected for poor quality, yielded 181 ears, of which but two were of fair quality, the remainder, or 99 per cent. being soft, short, gnarled, etc. Where no culture gave two bushels of ears as good as seed, culture gave 16 bushels as good as seed, and the best culture gave 26 bushels of ears as good as the seed.

We have alluded in these columns to the experiments of Dr. Schubeler the Norwegian scientist, in the extreme north of Europe. Following are three of the general conclusions he has reached, after many years of observation and practical tests with seeds from different climates:

"The grain of wheat that has been grown in low-lying lands may be propagated with success on the high fjælds, and will reach maturity earlier at such elevations, even although at a lower mean temperature. Such grain, after having been raised for several years at the highest elevation which admits of its cultivation, is found when transferred to its original locality to ripen earlier than the other crops which had not been moved. The same result is noticeable in grain that has been transported from a southern to a more northern locality, and vice versa.

Seeds imported from a southern locality, when sown within the limits compatible with their cultivation, increase in size and weight, and these same seeds, when removed from a more northern locality to their original southern home, gradually diminish to their former dimensions. A similar change is observable in the leaves and blossoms of various kinds of trees and other plants. Further, it is found that plants raised from seed ripened in a northern locality are hardier, as well as larger, than those grown in the south, and are better able to resist excessive cold.

The further north we go—within certain fixed limits—the more energetic is the development of the pigment in flowers, leaves and seeds. Similarly the aroma, or flavor, of various plants or fruits, is augmented in intensity the further north they are carried within the limits of their capacity for cultivation; conversely, the quantity of saccharine matter diminishes in proportion as the plant is carried further northward."

### LITIGATION AND EXCOMMUNICATION.

SEVERAL papers east and west have had something to say about the recent excommunication of certain individuals from the Church of Jesus Christ of Latter-day Saints, for going to law with their brethren contrary to the rules and covenants of the Church. As is usual when discussing Mormon affairs, those journals display a lamentable ignorance of the subject and give utterance to very foolish remarks in relation to it.

The *Sacramento Record-Union* says: "This is a convenient method of disposing of troublesome persons, and we suppose that it is looked upon by orthodox Mormons as a complete and final refutation of their claims." That paper is in error on both points. In the first place, this method of dealing with refractory members does not dispose of them as litigants, and has no bearing upon their legal rights or illegal actions. It simply severs them from Church communion. In the second place, "orthodox Mormons" do not look upon it as either a refutation or an endorsement of claims of any kind; they view it simply as the proper enforcement of ecclesiastical law.

It is a rule of this Church that brother shall not go to law with brother before the world, just as it was a rule of the primitive Christian church. And in the same manner that the early Church disposed of members who would not hearken to its voice, so does the latter-day Church. There are ample means and provisions within the Church for the equitable settlement of all disputes between its members and courts to see justice done irrespective of wealth, position or authority; therefore those who disregard its rules and violate their covenants by a resort to worldly litigation, do so against reason and necessity as well as against a known regulation.

What is the course pursued in any

religious organization when a member refuses either to subscribe to its discipline or make reparation for disobedience? What is done with a refractory Mason or Odd Fellow in such a case? Do not both religious and secular societies sever from their fellowship, such persons as rebel against their rules and refuse to reform or even make answer to charges preferred? That is all that has been done in the cases referred to, and concerning which so much cheap sentiment and mock sympathy have been expressed by certain newspapers.

One would think, to read the nonsense that has been published about this matter, that persons excommunicated from this Church were deprived of the right to go to law altogether. But a little reflection will show the folly of such an idea. They are at perfect liberty, after being cut off the Church, to indulge in wordly litigation until they are satisfied; that is, if satisfaction can ever be gained by such means. And they are at equal liberty to go to law while in the Church; no one will attempt to hinder them. Only if they do so, they must choose between their standing in the Church and their standing in court. If they love litigation more than their Church membership, no one will try to prevent their free choice, they can act as they desire.

Churches and societies have rights as well as individuals. Rules and regulations must be observed or there is no use in making them. If people do not choose to accept those rules and regulations they need not join the church or society which has established them. And if after they have become members they are not willing to continue under the recognized discipline, they can depart in peace from its communion, or the Church has a perfect right to disfellowship or excommunicate them. This is what has been done in the cases under consideration, nothing more, and the comments of the press on the subject are merely expressive of the folly and lack of understanding of the persons who penned them.

### THE BRITISH MISSION.

FROM the *Millennial Star* of April 19 we learn of continued additions to the Church in different parts of the British Mission, and of active missionary labors in the open air and by tract distribution, as well as preaching in halls and meeting houses by the Elders from Utah.

Elder Moroni Snow writes the administration of baptism to seven or eight persons in the Leicester district of the Nottingham Conference with others expected. Elder Cliff, from the same Conference, writes of sixteen baptisms in Leicester and Derby; in Sheffield Conference under the direction of Elder George R. Emery—just returned home—twenty-one were baptized during the present year with a half a dozen more ready for the ordinance and others investigating. At Merthyr Tydvil, in South Wales, Elder John G. Jones speaks of six baptisms, with two more appointed, and of the baptism of a man at Llantrisant, who sent the following communication from that place:

Dear Brother:—As I was explaining a case of healing about a fortnight ago to my master, he told me he would not believe it even if the woman herself was to tell him such was the case, but that if he was to see a miracle done he would believe. I told him he would not believe even if he did see one performed. But this person actually asked to see the power of God manifested, and it was revealed to him in a most miraculous way.

On the 15th inst., at 12 o'clock, mid-day, myself and companion, at work in the steam saw-mills, at Llantrisant, were at dinner. I handed him the tract entitled *The Marriage Institution* to read, when he merely looked at it, threw it down and reviled in the worst possible manner. I rebuked him and told him it was in accordance with the Bible. When we finished our dinner I took up the pamphlet and read a portion of it. When I was engaged he fell with his head toward me, and a gurgling sound proceeded from his throat. I picked him up and spoke to him but he gave no answer, and before there was time to bring some water I sent for, he expired in my arms. I say it was a visitation from God that took him into the spirit world.

I write this for publication in the *Star* if it is deemed worthy of a place therein.

DAVID MORGAN.

The *Star* has also the annexed list of releases and appointments:

"The following elders are released to return home with the company that will leave Liverpool on the 5th of June:

From the British portion of the mission—John G. Jones, from being President of the Welsh Conference. E. M. Curtis, from being President of the Birmingham Conference.

John South, from being President of the Bristol Conference.

James Reece, from being traveling elder in the Manchester Conference.

William Driver, from being traveling elder in the London Conference.

Returned April 10th:

W. H. Coray from being traveling elder in the Glasgow Conference.

H. Greensides, from being traveling elder in the Liverpool Conference.

W. Wilkes, from being traveling elder in the Bristol Conference.

The return home of the three brethren last named was made necessary by their being in ill health.

From the Scandinavian portion of the mission:—Lars Svendsen and Niels Thomson. (These two brethren returned with the company that sailed on April 10th, on account of ill health.)

From the Swiss and German portion of the Mission:—John Theurer and Gottlieb Enz, to return June 5th.

Evan Wride (heretofore traveling elder in the Welsh Conference) is appointed to succeed John G. Jones in the presidency of the Welsh Conference.

Edward Cliff (heretofore traveling elder in the Nottingham Conference) is appointed to succeed E. M. Curtis in the presidency of the Birmingham Conference.

Edward E. Brain (heretofore traveling elder in the London Conference) is appointed to succeed John South in the presidency of the Bristol Conference.

Moroni Snow (heretofore traveling elder in the London Conference) is appointed traveling elder in the Nottingham Conference.

### THE UTAH EASTERN.

THE public have not heard much lately about the Utah Eastern Railroad. It was supposed by many that the one man power, represented by Governor Emery, had put a quietus on the enterprise, in the shape of an absolute veto on the bill which passed the Legislature, authorizing certain counties to take stock in the projected road. But this was a great mistake. The Utah Eastern is not dead nor even sleeping.

The necessity of some method of pulling down the price of coal to reasonable figures is so urgent, that the building of an independent railroad to the Coalville mines cannot remain a lifeless issue. While coal exists in immense quantities within so short a distance from this city, it seems to all live, practical minds, the height of folly that the fuel interest of this region should be monopolized by one corporation, and that too not really identified with the progress of the Territory except so far as its personal profit is concerned. Arrangements have been progressing quietly for the pushing forward of the railroad project and now, we are informed, they have reached a point where practical measures can be inaugurated for the building of the road.

The management of the concern will be so arranged that the stockholders here can pool their stock, to be held by trustees, so that the body of the people will hold the controlling interest in the road, not to be sold to outside parties. The rest of the stock will be open to outside purchasers, but the heaviest portion will be retained under the management we have mentioned, so that it cannot pass into the hands of the monopoly which now has the coal business in its grasp.

We have no disposition to rail against the great corporation on which we have been dependent for some time for coal for domestic and manufacturing purposes. It has the right to look out for its own interest. So have the people to look out for theirs, and the only way to reach anything like independence of its dictum is to open the door of com-