

I have washed my hands of the course that has been pursued by those whose pleasure it is to disregard the counsels of those who have given evidences of possessing wisdom inspired of God.

It is proper that we provide amusements for our people, but when they become the rule and religion and work are looked upon as an exception, I think it is time we call a halt, in the fear of God.

The sustaining of each other in every good word and act was advocated, and the attention of the Priesthood and people alike called to the word of the Lord contained in the scriptures, viz: "Be not only hearers of the word but doers of it."

Adjourned until the first Saturday in August at 11 a. m.

Benediction by Bishop Orson F. Whitney.

POWERS WANTS SOME MONEY.

The following modest demand, or complaint, or assault, or whatever it may be called, was filed on Tuesday and is herewith presented in full:

Territory of Utah, } ss.
County of Salt Lake, }

In the Third Judicial District court, Orlando W. Powers, plaintiff, vs. the Deseret News Publishing Company, a corporation, defendant.

The plaintiff above named comes and complains of the above named defendant and for cause of action alleges:

First—That the said defendant, the Deseret News Publishing Company, is now and was at all the times herein-after mentioned a corporation organized and existing under the laws of the Territory of Utah, and is now and was a publisher of the Daily Evening News, a newspaper published in Salt Lake City, Utah Territory, being a newspaper of large circulation in Utah and other Territories and States of the United States.

Second—Plaintiff further alleges that in or about the month of April, A. D. 1885, this plaintiff was duly appointed by the President of the United States an associate justice of the Supreme court of the Territory of Utah, and thereafter and for more than one year, or until the month of August, A. D. 1886, plaintiff held and occupied said office to which he was appointed as aforesaid, and performed the duties thereof.

That in virtue of his said office he during said time held and occupied and performed the duties of presiding Judge of the First Judicial District of said Territory.

Third—Plaintiff further alleges and shows that in or about the month of September, A. D. 1885, and whilst plaintiff was presiding judge of said district, there was called for trial in said court before plaintiff in his said official capacity, a certain lawsuit or cause entitled the Bullion Beck and Champion Mining Company, plaintiff, against Eureka Hill Mining Company, John Q. Packard and John H. McCrystal, defendants. And thereafter the said cause was duly and regularly tried in said court before plaintiff in his said official capacity, and judgment thereon was duly given and rendered by plaintiff as presiding judge of said court.

That said defendant well knowing the premises did on the 2nd day of July,

A. D. 1892, knowingly and maliciously, and with intent to wrong and injure this plaintiff in the premises, compose and publish in said newspaper of and concerning the plaintiff and of and concerning the matter in his said official capacity the malicious, false, and defamatory matter of the tenor following, that is to say:

"AN ENEMY IN DISGUISE."

"The 'Liberal' organ is still posing as the champion of O. W. Powers, (meaning this plaintiff) and doing its best to stab him (meaning this plaintiff) in the back. Everything it says about him attracts attention to things he has no desire to be discussed, and stir up to activity proceedings that had better for his sake (meaning this plaintiff) remained quiet. In all this the organ exhibits its chronic infirmity of blindness as to logic, and impudence in requiring an opponent to prove its own assertion or accept its bald statements as admitted facts. When we challenged it to give evidence to support its rash and groundless charges, it wants us to hunt for and develop that evidence, when we announced that we are ready with the record of certain matters it accuses us of 'trying to silence a record.' As to the Bullion Beck litigation (meaning thereby the lawsuit hereinbefore referred to,) if it wants the record of Judge Powers, (meaning thereby this plaintiff,) action in that matter and all the circumstances connected with it (meaning thereby the conduct of this plaintiff in the trial and determination of said lawsuit,) we have the particulars on hand and will be ready when necessary to give them in full. We repeat, we have no wish to make any personal assault on any one connected with the affairs to which the 'Liberal' organ has drawn attention, but when it comes to a needful issue we will be found to the front. (Meaning thereby that the said defendant could and would if an issue of that sort were made prove that in the trial and determination of the said suit by this plaintiff he in his said official capacity had acted wickedly and corruptly and contrary to his official oath.)

"We return its advice, 'not to grow too confident or try by a bluff to silence a record,' and draw its attention to the fact that we have nothing to silence, but that silence is its own best policy, unless we believe it is eager to pillory instead of shield the Chief of the Tuncaroras, meaning thereby the plaintiff

That by said words the said defendant did convey and intend to convey, to those who read said publication, the meaning that plaintiff acted dishonestly and corruptly in his official capacity aforesaid, in the trial and determination of said lawsuit, and did thereby publish the charge that plaintiff was guilty of wicked and corrupt conduct in the trial and determination of said cause, and that the defendant is now in possession of evidence to prove the same against this plaintiff, and that the plaintiff is afraid to have published certain matters and things now in possession of defendant."

Sixth—That said words were, at the time of publication, as aforesaid, well known by defendant to be false, and were as aforesaid, published with express malice; and by reason of the

publication of the same, as aforesaid, plaintiff has been greatly injured and damaged, to wit: in the sum of twenty-five thousand dollars. (\$25,000.)

Wherefore, the premises considered, plaintiff demands judgment against said defendant in the sum of twenty-five thousand dollars (\$25,000.00) and the costs of this action.

D. N. STRAUP,
OGDEN HILES, and
W. H. DICKSON,
Attorneys for plaintiff.

Territory of Utah, } ss.
County of Salt Lake, }

Orlando W. Powers being duly sworn deposes and says that he is the plaintiff in the above entitled cause that he has heard read the foregoing complaint and knows the contents thereof, and that the same is true of his own knowledge except as to matters therein stated on information and belief, and as to those matters he believes it to be true.

ORLANDO W. POWERS.

Subscribed and sworn to before me this 5th day of July, 1892.

SEAL D. N. STRAUP,
Notary Public.

Commission ends Nov. 24, 1892.

In the Third District Court in and for the Third Judicial District of Utah Territory, County of Salt Lake.

Orlando W. Powers, plaintiff, vs. the Deseret News Publishing Company, a corporation, defendant, summons.

The People of the Territory of Utah send greeting:

To the Deseret News Publishing Company, a corporation, defendant.

You are hereby required to appear in an action brought against you by the above plaintiff in the District Court of the Third Judicial District of the Territory of Utah, and to answer the complaint filed therein within ten days (exclusive of the day of service) after the service on you of this summons—if served within this county; or, if served out of this county, but in this district, within twenty days; otherwise within forty days—or judgment by default will be taken against you, according to the prayer of said complaint.

The said action is brought to have judgment against defendant in the sum of \$25,000 and costs of suit; alleged to be due as damages sustained by plaintiff by reason of wrongful acts of defendant, in knowingly and maliciously and with intent to wrong and injure plaintiff, published in a certain newspaper, to wit: The Deseret Evening News, certain false and defamatory matter concerning plaintiff, by reason of which publication, July 2nd, 1892, plaintiff has been damaged in said sum of \$25,000.

And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to the court for the relief demanded therein.

Witness, the Hon. Charles S. Zane, judge, and the seal of the district court of the Third Judicial District, in and for the Territory of Utah, this 5th day of July, in the year of our Lord one thousand eight hundred and ninety-two.

HENRY G. MCMILLAN, Clerk.
By GEO. D. LOOMIS, Deputy Clerk