behind it strewn with corpses. The history of progress is the history of a battle, and we too will have to fight for our rights. How did this republic free itself? By blood. How will this slavery question be settled? By blood. These victories were not won by holding prayer meetings and singing hymns. I tell you the law must be throttled. We must trample it under our feet until the law of nature fills the world and reigns supreme. We can't obtain these things by peaceable means, so we must resort to force. [Wild cheering]. The capitalists are prepared to meet the people with force, but some day we will go to them and say, 'Your time is up, the time is come.' [Applause.] What happens when two great forces meet?"

Grottkau here bent over to the reporters and said, "This is diplomatic language and we all understand what it means." This remark was caught by the audience and was greeted with laughter and applause. The speaker, in concluding, shouted, "Down with the capitalists! Down with the present system! Down with the robbers! Down with wage slavery!" Tremendous cheers, accompanied by stamping of feet and clapping of hands which lasted several minutes, greeted these perorations, and Grottkau resumed his seat with a very congratulatory expression. The immense audience slowly dispersed, singing the "Marsellaise."

Race Troubles.

Serious trouble between whites and blacks was lately reported from certain counties in Mississippi. It was stated that a low and lawless class of whites had driven a large number of negro families from their homes and lands. A letter appeared in the Jackson *Mississippian* on Jan. 18 reciting the troubles and demanding that the negroes be restored to their possessions if it required the entire state militia to do it. The governor was about to take active measures, at last accounts.

The Church Suit at Washington.

In the argument of the Church suit in the United States Supreme Court on Jan. 19, Solicitor General Jenks, for the United States, held that Congress had the constitutional right to dissolve the corporation. He maintained that the clause of the Constitution giving Congress the right to legislate for the territories gave it the power to repeal territorial enactments. He declared, moreover, that the constitution of Utah provided that acts passed by the legislative assembly should be null and void if disapproved by Congress, and the express power to repeal territorial acts was thereby conferred upon the legislature of the federal government. It was for Congress to determine when and under what circumstances it would exercise this power. He also contended that the act incorporating the Church was invalid, because in conflict with the provisions of the Constitution forbidding the establishment of religion. He furthermore asserted that the corporation was rightfully dissolved for the misuse and abuse of its power, and that the corporation might also be dissolved under the general policy of the powers of the Constitution. The corporation being dissolved, he maintained that there was nothing left for us to do but appoint a receiver to take charge of the property of the corporation.

DYER CONTEMPT CASE.

The question of the contempt proceedings against Marshal Dyer, for refusing to answer certain questions as to his conduct as receiver in the suit against the Church, came up in the Territorial Supreme Court Jan. 21. Each of the judges filed an opinion, as follows:

BY CHIEF JUSTICE SANDFORD.

A petition was presented to this court in the above entitled action, signed by T. C. Bailey, chairman of the Board of Trustees, Seventh School District; Rudolph Alff, chairman Board of Trustees, Eighth School District, and J. T. Millspaugh, secretary Board of Trustees of the Twelfth District, for permission to be allowed to become parties therein.

That petition was denied, on the ground that they were not proper parties and had no right to be brought in as intervenors.

The petition, however, contained serious charges reflecting upon the receiver appointed in that action, and upon his attorneys, and it was decided that while the petition should not be granted, the charges of corruption, fraud, improper and unprofessional conduct ought to be investigated. Leave was given, therefore, to the petitioners to file their petition in this court. The persons charged with improper conduct were required forthwith as officers of the court to file their answers thereto; and in the language of the decision then made, "It should be referred to an examiner to take such testimony as is offered both to sustain and disprove the charges contained in the petition."

The question of the amount of compensation which the receiver should be entitled to receive for his services having theretofore been, by an order of this court, referred to an examiner, it was further decided that that question should be reserved until the report of the examiner to be appointed to take proofs of improper and unprofessional conduct should be received.

Thereupon an order was entered and the charges of malversation referred to Examiner Harkness. An examination was commenced before that examiner, and the receiver, Dyer, was sworn and interrogated as to his conduct. He refused under the advice of his attorney, as appears from the record before us, to answer certain questions declared by the examiner to be proper. His refusal so to answer has been reported to this court, and an order is asked for declaring him guilty of contempt, and that he be punished therefor.

A motion is also made for an amendment of the provisions of the order heretofore granted, denying the application of the school trustees, and providing for an examination of the said charges. The amendment requested is that after providing that the examiner take and report such evidence as may be produced either by the petitioners or the receiver and his counsel touching the matters in said petition set out, there be inserted after the words "set out" the following words, "to-wit: charges of corruption, fraud and unprofessional conduct," so as to define with more particularity the precise matters referred to and to be examined before that referee. The two applications, as they relate somewhat to the same matter, may be considered together.

When the order of reference directing that testimony concerning the charges set forth in the petition was made, it was the intention of the court that the examiner therein appointed should take proofs touching the alleged misconduct of the officers of the court only, inasmuch as the question of the amount of compensation to be allowed to the receiver had already been referred. This intention was evident from the decision of the court then rendered. If the order made had been drawn so as to embody the purpose of the court, the amendment to the order now sought would have been unnecessary. If granted now, the amended order will incorporate the intention and decision of the court, as then expressed, and we think the amendment should be allowed. As the order was originally drawn, the petitioners' contention that the question of compensation was also referred had some grounds, if read alone, and not in connection with the decision of the court. Under the order of the court, as then entered, the question which the witness refused to answer was proper and pertinent, and the question should have been answered.

On such an examination as this, the wisest course generally is not to stand on the accused's legal rights, but to answer freely and in detail all questions that have the remotest connection with the subject of the investigation. The ruling of the examiner by which he excluded questions relating to the conduct and financial condition of the receiver when acting as a private citizen or acting in any other official capacity was correct. The charges made against him were directed to his conduct as an officer of this court, and all questions that bore on that point, even though remote, and not clearly connected with it, should have been answered.

The receiver, as appears from the testimony before us, was advised by his counsel that he need not answer the question, the refusal of which has been reported by the referee to this court.

It has been held in many cases similar to this that such advice, honestly given and accepted and acted upon in good faith, is to be