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(INCORPORATED)

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EVENING NEWS. Saturday - July 11, 1885

RULING OF THE ATTORNEY GENERAL ON TERRITORIAL OFFICES.

It is generally understood by the public of this Terrifory that there has been for years past a conflict of opinion as to whether certain of the Territorial But, for the exercise of this have no disposition—to deny a single for the single for th officers who have been for almost Supra). But, for the exercise of this have no disposition-to deny a single thirty years elected by the people were having that effect would be necessary. parts, but it stands as a whole, to be properly elective or appointive. Gov-ernor Murray has claimed that the 7th favor of the validity of a Territorial as sceneth then good; but it is worth Section of the Organic Act authorized statute which conflicts with an express far, far more than all we possess, even him to appoint them, inasmuch as it says: "He shall nominate, and, by and Congress has not disapproved it." with the advice and consent of the Legislative Council, appoint all officers tendent of District Schools, Auditor of Lt is through tribulation we er not herein otherwise provided for," Pablic Accounts and Treasurer of the Kingdom of heaven. In God we trust, ous health, while reverse conditions while others claimed that the Terri- Territory to be elected, being contrary and He and one faithful, hon- may have resulted in discuss and suftorial statutes providing for the elec- to the provision of the organic law est and true man, constitute a grand fering hereinbefore mentioned, are a nullity, majority. tion of these officers by the people and that those offices should be ap were valid. The Utah Commissioners pointed in conformity to that provision (who of course have no more A similar conclusion was reached by the Supreme Court of that Territory

authority in the matter than so in regard to the Territorial Marshal many private citizens) also ruled in regard to the restaure of who, by an act of the Legislature of the baying controllot the elections, the the restaure of the Court held the act to be the restaure of the court held the act to be the restaure of the court held the act to be people were prevented from electing inconsistent with the provision of the these officers as they had formerly done. of ganic law above adverted to, and The Governor presumed to appoint therefore void. (See ex purte, Duncan, etc., 1 Utah Rep. 81.) men to fill these offices, without, how-

In regard to the Commissioners ever, asking the advice or consent of these officers are by the Territorial the Legislative Council, but as the Leg- statutes required to be elected anunally by the qualified voters at the general election. (Com. Laws of Utab, 1876 islature falled to ratify his nominations and the parties filling these offices, and p. 241.) By the 3d section of the Act of Conwho had been elected so to do until gress of February 21, 1885, chap. 117, a their successors in office were elected ertain quantity of land was reserved and qualified, refused to give them up for the establishment of a university "to be selected under the direction of the legislature," etc. The legislature of the Territory provided for the selec-tion of this land by creating a board of to the Governor's appointees, they remain as they were. It will be seen by what follows that three of the Utah men, elected as above, and devolving they can speak and write with equal at the advancing foe, now close at upon such board the duty of selecting case. Commissioners have made application through the Secretary of the Interior

for a ruling on this question from the land. I am of the opinion that the the Department of Justice in Wash-ington and that Attorney General Garland has decided that the offices of the Territorial Superintendent of Dis-trict Schools, Audifor of Public Ac-trict Schools, Audifor of Labeler, Tracesurer, and the duty of selecting on officers already the duty of selecting on officers already of the selecting of the selecting on officers already of the selecting of the selecting of the selecting on officers already of the selecting the Department of Justice in Wash- Territorial legislature, by virtue of should be filled by nomination of the of persons for that purpose by such in faithful work. In the shops the

onsent of the Legislative Council," wise provide the instrumentality for as the Organic Act provides, and that the Territorial statutes providing for The commissioners in question are twenty two the Territorial statutes providing for The commissioners in question are the election of these officers by the not therefore, to be regarded as within people are in conflict with it and, there- the operation of the above mentioned

provision of the organic law; and their election in the manner prescribed by It will now be seen whether the the Territorial statute is proper. I am, Governor will nominate such men to sir, very respectually. A. H. GARLAND,

Attorney Ganeral NOTHING TO GIVE UP THE SAINTS CANNOT AFFORD TO LOA PROMISE

INTIER FROM THE COMMISSION MEXICO, June 15th, 1850.

SALT LAKE CIPY, May 14, 1885.] Editor Deseret News

In this far-off land the DESERET Sir .- For several years it has been a disputed question whether certain NEWs sneds its geni i rays and is a Territorial officers in Utah are to be appointed by the Governor, with the mylidend, of those who suggest seven of the Legislative Council, under the organic act of September 9, "COMPROMISE,"

"otherwise provided, for," a direct conflict manifestly exists between the Woe, we unto the wicked and the ungodly of this mation, save they restatutes of the Territorial Legislature pent, who framed and passed laws to board a vessel where do you get the above referred to and the Organic catch the children of God, and are en- timber?" "Ugh!" replied the captain, .sw. The Organic Law of a Territory takes the disciples of Jesus Christ! Better,

place of a Constitution as the far better for them had they millstones fundamental law of the local govern-ment. It is obligatory on and binds the drowned in the depths of the sea than Territorial authorities. (Nat. Bank vs. that they should have offended one County of Yankton, 101 U. S., 120.) of the least that trust in Him. "In-Any act of the Territorial Legislature assuch as ye have donc it unto one

inconsistent therewith must be held of the least of these my brethren "ye selves than a subject of mirth an mockery of those who commit them. Congress may, undoubtedly, make "Jesus Christ."

always imply sin, nor good health al-ways involve merit. Various causes may produce both, over which we have personally no control. A good constland this all the world, with its baosted tution and favorable chromustances may have combined to establish vigor-It is through tribulation we enter the

> -----Indian Education

the use of an electric lamp supplied by On Wednesday, May 6, a large and an accumulator, the use of such a light being cuforced by the suthorities. sungulabled audience, on invitation Captain Fratt, assembled at the arliste Industrial School for Indians, witness the exercise of its sixth Cod-liver-oll is given to his milking cows by an Essex barmer, who, writing annual examination. From the characto one of the farmer's papers, says that r of the visitors, and the interest ex- he gives each cow, with her usual food, ited, it was evident that in this three ounces of oil night and morning, the adjustment of the much-involved with the result that he has never before had such excellent, sweet, and delicate idian question The morning hours were occupied in milk and butter in the spring months.

ne inspection of snops and schools, i the latter the "object method" of A propos of our Russo-Alehan diffiaching is in operation. This method cuity, at one of the battles the British used until the pupil can actively as- line, represented by one English regi--oclate new words with ideas. The object and its English name being pre-sented together, the child at once to think in English. As a result of this system, children of eight years of age to the rear of the British regiment, one

hand, and their bullets seemed to pass The work of more advanced grades uncomfortably near our men. Sudden-

Do you Know a Man

"Ah, captaiu," said a fresd yonug man on an ocean steamer, "when you

There is as much wisdom in bearing

with other people's defects as in being

sensible of their good qualities and we

should make the follies of others rather

selves than a subject of mirth and

one always found him in waiting ; and

Physical Health -- Ill-health does not

from searching for leaks in pipes with open lamps. It is stated that these

a warning and au instruction to our-

"We get

looking him over critically.

It out of the log, of course!

cardinal virtue

Whose wife is troubled with debuity nervousness, liver complaint or rheumatism? Just tell him it is a pity to let Eureka, the lady suffer that way, when Brown's Junb,... Levan. Iron Bitters will relieve her. Mrs. L. B. Edgerly, Dexter, Me., says, "Brown's Iron Bitters cured me of debility and palpitation of the heart." Mrs. H. S. McLaughlin of Scarborough, Me., says the bitters cured her of debility. Mrs. Mena. * Nephi, First Ward, Nephi, Second Ward, Harding of Windham Centre, in the same state, says it cured her of dizzi-ness in the head. So it has cured housands of other ladles.

A Clear Skin

mion The feature of the afternoon but it is: part. Every lady was the speech of a young Paw

Logan, Seconth Ward,..... . fsaac Smith Heury Hugh COUNTRY PARDY ...G. O. Pitkin Bright. Milleille .. Fart Koll I . Farmer Coung . Hans Fuul. Samuel Oldhair Hobert Leatham W. I. Skulmore Providence, Richmond SmalhReld J. B. Jardine W. H. Maughau Mountant. D. 1 Weilsville. Circle K. C. C. C. C. DAVIS STAKE, autor attendence Davis County, Utab.

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MISHOP! WARDS. with Admiral Napler punctuality was a Boundfel, East Chester (a' . Witt. Brown Wm. S. Mult. J. Nathan Cheney Mount fuel. West ... * A lout revalie ... J. M. Secr.

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JUAB STAKE,

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Henry Eyring D. D. McArthur, [Counaci - a

Washington County, Cial.

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the Indian is to him what talent is to The shoc-shop has at its benches wenty-two boys, who cut, fit, and arm ont boots and shoes of excellent vorkmanship. In the wagon shop ome of the apprentices are able to measure the lumber, build, and iron a wagon unassisted. The tailors and afness-makers turn out work that is musual for finish and nicety of detail. The tinners, carpenters, and bakers to the regulation work of their trades rom the printing-office comes monththat bright and attractive paper' The Morning Star.', At noon ",000 people gathered into the great hall, where the exercises of

In the shops the limitative faculty of

the afternoon took place. A graceful greeting was extended by a young Onelda woman, in which she told us the fact too often forgotton, that the nature of her people is not Indian, but human, like our own.

In the speeches by the young men it is only a part of beauty



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CHILLED PLOWS AND HORSE HAY RAKES.

In addition to the above goods, we sell the Peerless Reapers and Mowers, California Concord Harness, Buffalo Barbed Wire, also a great variety of Farm and Garden Hand Implements, consisting of Rakes, Forks, Hoes, Lawn-Mowers, etc., etc. ties pro and con:

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The Mitchell Farm and Spring Wagons and Road Carts are manu-factured expressly for the Utah, idaho and Montana trade, of the eery best material that money can buy and under the superintendency of Henry Mit-chell, a practical wagon manufacturer of over fifty years experience. We per-sonally enarrantee that they are first class in all respects, and second to none in the market the matket.

tah, 1578, page 27. Compiled Laws of Utah, Sec. 602, page 247. The Walter A Wood's Harvesting Machines are absolutely unequalled for strength. Durability, Easy Running and Simplicity. Read the following record of machines made and sold by the Wood Company 1. e • 1880-27,968; 1881, 40,413; 1882, 44,226; 1883, 45,032; 1884, 48,816; nothing but the superiority of the machines could possibly cause such extensive and constantly increasing sales. The above figures speak louder words of praise than anything we could possibly say. They have enlarged their factory so as to be able to fill increased others for 1985. page 247. Chapter 19, Sec. 14, page 31 of Ses-sion Laws of Utab, A. D. 1880. (The ianguage of this section (14) is identi-csl with that of Sec. 602, supra.] Act of Congress of February 21, 1855, page 611, Vol. 10, U. S. Statutes at Large orders for 1885. Large.

Compiled Laws of Utah, Sec. 593, page 241. . The John Deere Plows have a world-wide reputation for excellence. The fact that Deere & Co. have the *largest* steel plow manufactory in the *world* is sufficient guaranty of the superiority of the goods they manufacture. Sec. 6 of Organic Act, Compiled L. L. of Utab, pages 30-38. Sec. 1861 ('Quipiled L. L. of Utab., 88.

Russell & Co's Threshers, Engines and Saw Mills, are fast taking the lead, and in the near future will stand without a rival. A person that has ever used a Massillon Thresher will never use any other. Every Machine We tave sold his given the most perfect satisfaction

The Gilpin Sulky Plow is the only single lover sulky plow made. The "Gilpin" to-day stands without a rival for strength, lightness of draught, -implicity and quality of work. No terson having any regard for horse flesh will purchase any other sulky plow after using the one-lever Gilpin.

The Gale Manufacturing Company spare so expense to make their addy Rake superior to any in the market. Call and examine their goods, and be convinced of the superiority of their Rakes also of their Chilled Flows.





"COMPROMISE,"
"Intermediate the organic act of September 9, 1850, (Section 7), or to be chosen by the people at their general elections under biy.
"The officers referred to are Territor-ial Superintendent of District School, Territorial Auditor of Public Accounts, Territorial Treasuremant Commission-er to locate University Lands.
In preparing for the general election to be held in August of this year, it is important for us, as well as the elec-tion officers appointed by as under the suboritatively settled: and we there-fore address you this communication with the request that the question authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-fore address you this communication authoritatively settled: and we there-ing in the light, that the blood of the ing in the light, that the blood of the light are popular to be baptized for the authoritation approver of appointment, the sit ap

Legislative Council, and they refusing to recognize his power of appointment, decline to give their assent, upon the alleged ground that such officers should Is it popular to be baptize remission of sins by immersi-having authority from God? Is it any more popular to re-late the state of the state of

statules. Our attention having been more than once called to this question, we con-cluded (with considerable doubt and glfts, dreams, visions, revelations, inspirations, healings or any manifesta-tion of the power of God? hesitation) that the said officers are to be appointed by the Governor. In order to facilitate the examina-

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FAVOR OF ELECTION BY THE PEO-

Chapter 11, Sec. 4, Session L. L. of

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PLE. Complied Laws of Utah, Sec. 44,

Dage 90

tion by the Attorney-General, we refer to the following statutes and authorirevealed will of heaven?

ENDLESS LIVES. crookedness of the officials of The Latter-day Saints obeyed the Gospel they teach because God, the Eternal Father, had revealed Himself and the Lord Jesus Christ from the heavens, and sent His angels with au-thority to ordain men to the Priest-tord with power the preset the trace in the Eastern penitent invented a system of telegraph an alphabet similar to that invent

hood, with power to preach the "gos-pel of the kingdom," and to establish the Church of God-the Church of Jesas Ghrist-upon earth. The men thus ordained have power and authority to preach the Gospel aud call men to repentance. They advo-cated this unpopular worship of the side of the walls, and in co true and living God of revelation. They time the upper strata of the concentration men to turn unto Him and fraternity became expert telegraterity became expert telegrate commune with Him, who heard and The wires of this novel telegra

page 39. [The Compiled Laws of Utah, A. D. 1376, and the Session Acts of Utah, 1578, are in the office of the Attorney-General, left there some months ago by Secretary Thomas.] Those who realized at the validity of the man-made religions, for the mask was torn away; the belivers found Thomas disastronation the man-made religions for the mask the man-made religions for the mask the man-made religions for the mask the doctrine for doctrines the commandments of pert "operator" could easily quickly send a message to a fa prisoner whose cell was not fa tan. If he wished to comma with a man in another corrited message passed along from one "relay station" to another, L. reacted the doctrine

Those who maintais the validity of the Territorial Acts fely upon a state-ment made by the Chief Justice in the case of Clinton vs. Englebrecht, 13 Wallace, which is found on page 440, second paragraph from the top. Per contra, it is claimed by the other side the presented, were baptized, received the Holy Ghost, had a living testimony, and knew that the men who taught the doctrine were true servants of the livthat the presumption of approval by Congress of a Territorial Act, by rea-son of non-action and lapse of time, does not prevail in case of a direct conflict, between the act of Congress and the act of the Territorial Legisla-tive Assembly.

ive Assembly. It should be added that the office of a faithful testimony to the truth and the restoration of the Gospel to the

Commissioner to Locate the University Lands appears to stand on a different footing from the others, by reason of the fact that the act of Congress—re-ferred to—was approved in 1855, five years after the date of the Organic Act. We have thus endeavored to state the question fully and impartially, and we respectfully request an early opin-ion from the Attorney General

everlasting sorrow, if not to their joy. The Gentlles, with all the "refuge of ites," have never been enabled to prove that Joseph Smith was not sent of God; Very respectfully yours, A. B. CARLTON, G. L. GODFREY, R. J. PETTIGREW. To the Hoporable the Secretary of

the interior, Washington, D. C.

ERAL. DEPIRTNENTOP JUSTICE, Washington, June 4, 1885.

LETTER FROM THE A BTORNEY-GEN-Q. C. Lamar, Neerstary of the

allered ground that such officers should be elected by the people at their gen-eral election, under the Territorial statutes. Our attention having been more than Our attention having been more than Our attention having been more than Statutes the such officers should Our attention having been more than Statutes the such officers should Our attention having been more than Statutes the such officers should Statutes statutes the such officers should Statutes statute VICTS BY GAS PIPES. The credit of the invention Or, is it popular to believe in the resurrection, the eternal judgment, re-wards and punishments, or any of the revealed will of heaven? I answer No! Not a single principle of the Gospel of the Son of God is popular; it is only the traditions and doctrines of men that are popular. Plural marriage is God's order of mar-riage for eternity, and to give it up is to give up the Gospel and the hope of

in FAVOR OF APPOINTMENT BY THE GOVERNOR. Sec. 7 of Organic Act, Compiled Laws of Utah, page 30. [The Compiled Laws of Utah, A. D.] The Compiled Laws of Utah, A. D. [The Compiled Laws of Utah, A. D.] reached its destination. Every vict of any note had (and hat "call," the same as operators any telegraph line. The system was divulged by ventor to a prison inspector, a convicts now find it difficult t any important message, as the officials now understand the al They are suitable, however, to each other posted on the movement noted criminals and the general nal topics of the day. When a pr is discharged or a new convict br in the fact is immediately taken the restoration of the Gospel to the carth. Who revealed these principles and established this work? I answer, God our Eternal Father through His Son Jesus Christ, to his servane Joseph Smith the martyred Prophet of the nineteenth century. This is the solemn truth. It is a fact that all the world will know to their even at the server. If not to their tow Times.

that Joseph Smith was not sent of God; while on the other hand the Saints, who have honestly embraced the Gos-pel throughout the world, testify that they know Joseph Smith was sent of God, that he introduced the dispensa-tion of the fulness of times, and that to-day—as in the days of the Savior— whoso will do the will of the Father shall know of the doctrine. The Saints have any amount of evidence that the work they are engaged in is of God,

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outside	John Ashworth Counselors.	Garfield County, Utah.	Provo City, First Ward,J. P. H. Jelinsan. Provo City, Second Ward,J. W. Loveless
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WASATCH STAKE, Wasatch County, Utah. BRAM HATCH, President.

Iron County, Utah.

