

they can, for if trouble starts, it is difficult to say where it may end."

In the midst of such a calamity, the people will not bother themselves about preserving the majesty of the law; the universal law of self-protection will justify the instant shooting of any man found in the commission of either of the crimes named. — *Oakland (Cal.) Transcript.*

A Necromancer.—A somewhat singular looking man, with long hair, rather short of stature, and wearing a large cape, has been attracting considerable attention from pedestrians on the streets the past few days, by performing some remarkable tricks. Sometimes he would let his cane fall upon the sidewalk, making a noise, as it struck the ground, as if a quantity of crockeryware had been demolished. Instead of picking the article up in the usual way he would roll it under his foot, deftly get the pedal extremity under it, throw it up and catch it in his hand with the greatest ease. Then passers by would be suddenly startled to see his hat move directly upwards from his head, and remain suspended in the air, without any visible support, about a foot from his person, besides many other antics of a similar character. On inquiry we learned that this individual was none other than St. Jean, the magician.

FROM MONDAY'S DAILY, NOV. 8.

Tabernacle Meeting.—Elder Orson Pratt preached yesterday afternoon.

The Missionaries.—The Omaha papers have been interviewing the missionaries who recently went East from this City.

Postponed.—The storm on Saturday evening prevented the beekeepers assembling at the appointed time, and the meeting is postponed till next Saturday at 6 p.m., at the City Hall.

Discontinued.—Henceforward the Sunday afternoon meetings in the New Tabernacle will be discontinued for the season, and sacrament meetings will be held on Sabbath afternoons in the several ward meeting houses.

No Stock Board.—The following was received this afternoon—

"There will be no Stock Board in San Francisco until Wednesday at 11 o'clock a.m., owing to the death of B. F. Sherwood."

At the Moyencoppy.—Elder Daniel W. Jones and party telegraph that they were at the Moyencoppy on the 1st inst., all well.

Letters written immediately addressed to Tucson, Arizona, will most likely reach them.

Information Wanted of the whereabouts of George Good, who emigrated to Utah five years ago. He stands about 5 feet, 10 or 11 inches in height, and is 62 years of age.

Address—George L. Farrell, 61 Great Freeman St., Nottingham, England. — *Millennial Star.*

Severe Accident.—This morning while a Utah Southern train was being switched, at Lehi, a young man, named Niels Thompson, a brakeman, had his arm run over by one of the cars. Dr. Richards was immediately sent for and repaired to Lehi. The limb is so badly injured that amputation is necessary.

Not a Fire.—The fire alarm was rung at four o'clock on Saturday afternoon, but the services of the Fire Brigade were not needed. An incipient flame broke out in the wash-house premises of San Wau, near the Theatre, but was soon extinguished with a few buckets of water.

Contributions For The Sufferers.—The following dispatch has been received by Mayor Wells—

"VIRGINIA CITY, Nev., November 6.

"Daniel H. Wells, Mayor:

"Accept the heartfelt thanks of our people for your liberal donation."
"R. V. DEX, Sec."

The Blood of the Martyrs, &c.—The sure and certain way to perpetuate Mormonism is to persecute Brigham Young. The blood of the martyrs continues to be the seed of the church. The murder of Joseph Smith, and the more than murder of his followers, gave a power to Brigham Young and a

strength to the Mormon religion that it could not have otherwise possessed. Let Brigham Young die in the custody of a U. S. marshal and the memory of another great martyr to the cause of Mormonism will go on upbuilding it as no other power could do. — *Omaha Herald.*

The Australasian Missionaries.—The following was received to-day—

"INTERNATIONAL HOTEL,
"San Francisco.
"Nov. 5th, 1875.

"Editor Deseret News:

"Will you be kind enough to thank my numerous friends through the NEWS, for their many acts of kindness before my departure?"

"We arrived here this evening, all well, and found that Brothers Croxall and Cluff had engaged passage for all on the steamer Colima, to sail on the 8th of November.

"Wm. H. McLACHLAN."

Conference at Nottingham.—A conference was held in the Assembly Rooms, Nottingham, England, Sunday, Oct. 3rd, as reported in the *Millennial Star*, Joseph May, reporter.

The following Elders from Utah were present on the stand—A. Carrington, President of the European Mission; George L. Farrell, President of Nottingham Conference; Elders E. I. Young, from Liverpool Office; W. H. Maughan, President of and V. L. Halliday, Traveling Elder in Birmingham Conference; W. B. Barton, Pres. of Liverpool Conference; E. Snelgrove, Pres. of and Arnold Goodliffe, traveling Elder in Manchester Conference; P. Barton, Pres. of Sheffield Conference; J. Hopkin, Pres. of Norwich Conference; W. A. C. Bryan and A. D. Young, Traveling Elders in the Nottingham Conference; by most of whom the Conference was addressed.

The following branches were, by the local Elders, very favorably reported: Derby, Gainsboro, Mansfield, Sheepshed, Whitwick, Arnold, Calverton, Eastwood and Nottingham.

The singing was by the Nottingham and Mansfield choirs.

During the Conference eight persons were admitted to the Church by baptism.

District Court Proceedings.—The Third District Court convened this morning at 10 o'clock, Associate Justice J. S. Boreman presiding.

The Judge announced that he had been requested by Judge White to proceed with the jury cases, and that Judge White, as soon as he had sufficiently recovered his health, would attend to non-jury cases, in an upstairs room of the building. The case of Kate Flint vs. Jeter Clinton et al was called and the respective attorneys, Robertson, McBride and Morgan for plaintiff, and Snow, Sutherland and Bates for defendants, announced they were ready. This is a suit for damages for property alleged to have been unlawfully destroyed by the defendants, and had been tried before, but the jury failed to agree upon a verdict.

The following were drawn as a jury to try the case, and sworn on their voir dire—

Lucien Livingstone, Thomas E. Chlohecy, James Johnson, John Tingey, John W. Snel, James McGuffey, P. H. Lannan, Charles Reid, John A. Jost, Charles J. Goodwin, Wm. C. Morris and Homer Brown.

Lucien Livingstone passed for cause, but Thomas E. Chlohecy was excused, admitting that he had expressed a very decided opinion on the merits of the case.

In the examination of James Johnson as to his competency to serve, Mr. McBride asked him if he was a member of the Church of Jesus Christ of Latter-day Saints, to which he answered in the affirmative, whereupon the attorney objected to him on that ground, and was about to introduce an affidavit of Kate Flint, to the purport that she could not obtain a fair and impartial trial, where members of the aforesaid church were allowed to sit as jurors, because the defendants also belonged to that organization, but on further consideration the affidavit being objected to was withdrawn.

Mr. McBride held to his objection and argued to show that members of any Church, society or corporation were not competent to serve as jurors in a case where the party on one side belonged to the same organization as themselves. The

question was ably and conclusively met by arguments from the defense, and the Court, as a matter of course, overruled the objection. The plaintiff then objected to the juror on the ground that persons belonging to the Church before mentioned were, on account of certain ecclesiastical duties and obligations, unfit to serve as jurors in suits where their co-religionists were a party, and they proposed to sustain the objection by proof.

The defense objected, but the Court sustained the position of the plaintiff, who placed Elder Orson Pratt upon the stand to prove the incompetency of the juror. The witness was then put through one of the strangest categorical examinations that ever transpired in a place claiming to be a Court of justice. The questions were frequently objected to on the plain ground of utter and self-evident irrelevancy, having no connection whatever with the question at issue, but the Court, who seemed to display a remarkable anxiety to glean information regarding the doctrines of the Church of Jesus Christ of Latter-day Saints, invariably overruled such objections. The nature of the questions put may be gleaned from some of the answers given by Elder Pratt.

Witness had been a member of the Church aforesaid over forty-five years. He held the position of an Elder. There was a code or system for the government of the members of that organization. It was optional whether members of the Church paid tithing. Tithing was principally to assist the poor, and it was always considered a duty to aid the poor. Tithing was in the nature of a contribution or donation. Members were not generally excluded for non-payment. There were exceptions to that rule. It was held to be a doctrine of the Church for members to deal honestly, justly and uprightly with all men, irrespective of whether they were members or non-members of the Church. It was considered a duty for members to settle their difficulties among themselves, without having recourse to courts of civil law, but none were debarred from endeavoring to obtain redress in the latter.

The witness was asked whether he considered civil government as being legal. "Yes."

His attention was directed to a work, of which he is the author, entitled the Kingdom of God, which stated that the government of God is the only legal Government, etc., to which he answered, in substance, that civil governments were not divinely legal, but they were legal so far as earthly governments were concerned.

His own writings were not the standard of the Church. He was one of the Twelve Apostles. One Apostle did not make the laws of the Church. It was the belief of citizens of the kingdom of God that they should obey every word that proceeds from the mouth of God. It was the privilege of every member to receive revelation for himself. Questions in dispute between members were decided in Bishops' courts, and by a High Council, composed of twelve men. All questions were subject to be brought before those two tribunals.

He was asked what his conception was of the meaning of a theocracy, was it a civil and religious government? It was a purely ecclesiastical government. The Jewish government may have included civil and political affairs, excepting when they were under the dominion of other powers. Here we had civil laws and a civil government, which we obeyed.

Before the questioning of the witness was concluded, Court took a recess till 2 o'clock.

Thanksgiving Proclamation.

In observance of a custom of the Fathers, and in accordance with the recommendation of the President of the United States, a day should be observed by the people in recognition of Divine favors bestowed upon them during the past year.

To this end, therefore, I, Geo. W. Emery, Governor of Utah Territory, do hereby designate and appoint Thursday, the twenty-fifth day of November, A. D. eighteen hundred and seventy-five, as a day of "Public Thanksgiving, Prayer and Praise."

Let us give thanks to Almighty God for His loving kindness unto us, His creatures, during another year; that He has preserved our lives; that He has given us seed

time and harvest and bountiful crops; that He has not permitted fire, famine or pestilential disease to desolate our Territory; and that we have been prospered, as a people, in all the various avocations of life.

Recipients of all these mercies, it behooves us to recognize them with becoming reverence and gratitude. I therefore further recommend that the day be properly observed, and that services, usual on such occasions, be held in your respective places of worship; and, also, that the more prosperous of the people be not unmindful of the poor.

In testimony whereof I have hereunto set my hand, and caused the seal of the Territory to be affixed.

Done at Salt Lake City, this fifth day of November, in the year of our Lord, one thousand eight hundred and seventy-five, and of the independence of the United States the one hundredth.

GEORGE W. EMERY,
Governor.

By the Governor,
GEORGE A. BLACK,
Secretary of the Territory.

Correspondence.

On the Way—Knocked off the Train
—Across the Sea.

STEVENS HOTEL, NEW YORK,
Oct. 31st, 1875.

Editor Deseret News:

We reached this city at 2 o'clock this afternoon, and came immediately here and secured rooms for our party during our stay in this city. Our trip has been an exceedingly pleasant one, and we have been courteously treated by the railroad officials. We were delayed five hours in Chicago. Then we started for New York per the Great Western and Erie roads, and came on our way rejoicing.

Half a mile beyond London, in Canada, while the train was slowing up, Brother William Smoot, who was standing on the platform, leaning out, was knocked off the train by his head coming in contact with a signal pole. Westopped at London twenty minutes for dinner, and while there a stranger led Brother William into our car, bleeding, and said he had found him by the side of the track, insensible. He was very severely injured about the head. We washed and dressed his wounds as well as we could, put him to bed in a palace car, administered to him, and had the pleasure of seeing him get better immediately. We brought him on to this city, and he is still improving, is out of all danger, and will accompany us on board the ship to-morrow evening.

Nov. 1st.—Brother William is still improving. We have been joined here by Brothers Jas. Sharp and Martin Lenzi and Sister Teasdel and daughter, who will accompany us to Liverpool. Our party now numbers twenty-one souls.

We have secured second cabin fare on the *Dakota* at a reasonable figure, and will sail at 7 o'clock to-morrow morning.

I remain in haste,
Your brother in the gospel,
ISAIAH M. COOMES.

Fancy Alimony Illegal.

A great many good people assume that it is right for Brigham to pay fancy alimony for the support of the wife who is traveling about the country, lecturing about him. In spite of all the reasoning to the contrary, we fail to see how a court can legally divorce a woman from a man to whom she was never married. If in our own State, for instance, a woman were to go through the marriage ceremony with a man who already had a wife, the proceeding could have no possible effect, except to send the man to the penitentiary for bigamy. The second wife, so to speak, would not be a wife in the eyes of the law, nor could she obtain alimony by suing for a divorce. Ann Eliza has no peculiar equity on her side, for when she joined Brigham's family, she knew that he already had a dozen and a half of wives. The kind of law they are using in Utah would not be regarded as sound anywhere else, and we do not believe in twisting an unnatural meaning out of a law, in order to fit some particular case. The polygamists in Utah should be punished as they deserve, but there should not be one kind of law for them and another for the rest of the nation. It will not tend to settle the Mormon question. The last decision merely allows a woman to practise extortion. The criminal practice of polygamy can be broken up by Congress, not by the courts. Why there has never been any adequate legislation, is one of those things the people cannot understand. The President is supposed to be well posted on this subject now, and we presume that in his message he will suggest some common-sense plan by which a national disgrace may be blotted out. — *Oakland (Cal.) Transcript, Nov. 3.*

A Gross Injustice.

Jacob S. Boreman, an associate justice of Utah Territory, has decided that Brigham Young shall pay to Ann Eliza Dee Webb, the nineteenth woman associated with him in his polygamic alliance, the sum of \$9,500, being an allowance made to her by Judge McKean of \$500 per month as alimony, and which, as the amount indicates, has not for a period of nineteen months been paid. To his decision, Judge Boreman adds that Brigham shall go to prison until it is paid, or until he is released by further order of the court.

We have no personal friendship for Brigham Young, nor any toleration for his marital crochets, and in many other things we think him reprehensible; but our dislikes of the man, or disinclinations for his religious faith should not disqualify us from pointing out the gross injustice which a woman and coterie of men are seeking to impose upon him at the present time.

After Judges Emerson and Lowe had set aside this alimony case, the prophet anticipated no further trouble; but Judge Boreman has again heard the lawyers and, as we are informed by telegraph, he has decided that the prophet shall go to jail until he has handed over the money, and Brigham would have been there before this time had not two physicians certified that he was unable to leave his sick room.

Such are the facts of the trouble between Brigham Young and the federal courts of Utah at the present time, and while there can probably be no censure heaped upon the judges for countenancing the suit of Ann Eliza for damages, under the cover that "the court can know nothing but what is brought before it on record," it must be clear to even the weakest of intellects that there is running through all this litigation a streak of vulgar fraud—an attempt to obtain money under false pretenses. Ann Eliza has no more claim upon Brigham Young in a court of law than she has upon any other man, and she knows, her lawyers know, the judges know, and everybody of sense knows, that the moment such a trial came before a jury in Utah, or anywhere else, she and her suit would be put out of court. — *San Francisco Chronicle.*

ARE THE LAWS A FARCE?—A very knotty as well as a very naughty question is just now undergoing investigation by Attorney-General Pierpont. The action of Judge Boreman, of the United States District Court of Utah, in ordering the imprisonment of Brigham Young for contempt of court in refusing to pay \$500 a month alimony to Ann Eliza virtually reaffirms Judge McKean's original decree which had been summarily annulled by his successor, Judge Lowe.

It is self-evident that Ann Eliza is entitled to alimony from Brigham Young must be his lawful wife. If, as is really true, according to a strict construction of the anti-polygamy laws, she has simply been living in a state of voluntary concubinage, she never was his wife, hence is not entitled to alimony. In other words, if the nineteenth wife of Brigham Young is entitled to the rights and privileges of the first wife, then the laws against polygamy are a farce. If, on the other hand, polygamy is a crime, Ann Eliza has, by voluntarily practising polygamy, become liable to the penalties against this crime. — *Omaha Bee.*

Home Again.—Elder W. C. Staines, the Church emigration agent, having concluded his labors for the season, is home again from New York. He arrived on Friday evening, and is in good health.