DATLY SUNDAY'S EXCEPTED, AT OUR O'GLOCK PHINTED AND PUBLISHED BY THE DESERET NEWS COMPANY CHARLES W. PENROSE. EDITOR. Feb. 21, 1881.

ING NEWS

A VICIOUS AND IGNORANT ATTACK ON "MORMONISM."

THE North American Review for p. 421. March has no paper from M, Char-kills shall not have forgiveness in subject of the action. day and, its readers, who have been watching the development of Meri-can' antiquities, as related by the Franch explorer will be disappointed. day and, its readers who have been to make the second of t The omission. There are, how-ever, a number of interesting essays on various subjects in the Magazine, and one article which calls for more and one article which calls for more than passing mention. p. 887.

"The Political Attitude of the Mormons," by Judge C. C. Goodwin, is the title of a remarkable collection of statements about the be absolved to some extent from the "Mormons." It is remarkable far the reckless manner in which utterly groundless assertions are made. represent is evident throughout the Remarkable for the absence of any attempt whatever to substantiate would, have obtained correct infor-them. Remarkable for the lack of mation on the subject in relation any plan to cure the imaginary evils to his statement about Idaho policomplained of. Remarkable for the tics we believe he has intentionally of this writ. The first point to which frank disclosure of the object of the stated a falsehood. There is no he would call attention was that the warranted excitement against the great majority of the people of Utah. But the most remarkable thing bout it is that a respectable monthy like the North American Review would spoll its pages with such a ness of trash. Here are a few of the statements mess of trash.

nade by the person who figures in he Review as "Judge" Goodwin. He says of the "Mormons":

"They teach explicitly that every overnment framed by men is ille-"Their leaders claim to be infalli-

"Then in worldly knowledge they are instructed very little, the policy of the Church being to keep the masses poor and ignorant. They are forbidden to read books or jour-tirely under "Mormon" control. It

faithful obedience to the commands of their elders."

1. That and write does not state principle of freedom in maintaining rights and privileges, belongs to if the plaintiff to a peremptory if will and is justifiable before me. p. 312.
3. The plaintiff has no legal capa. "And study and learn and become accurating equation with all good books and ple." p. 296.
4. The plaintiff has no legal capa. "And study and learn and become we attain motion allow states and point in the time of the motion of allow states and point in the time of the motion of allow states and point in the time of the motion of allow states and point in the time of the motion of allow states and point in the time of the motion of allow states and point in the state we attain who is elected by and the states that and become and point in the state that and would be allow states that and the time of the motion of allow states that and the time of the motion of allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states that and the time of the motion allow states the stat

"Whatever principles of intelli-ence we attain unto in this life, it will rise with us in the resurrection;

and if a person gains more know-ledge and intelligence in this life through his diligence and obedience than another, he will have as much temporarily, or otherwise, the said 4. That this court has no jurisdiche advantage in the world to come.

tion of the person of the defendant and said official character, or the

TEBRINORY OF UTAH 15.20

Arthur L. Thomas, the respond-ent, named in the foregoing demur-rer being duly sworn, says. I have heard read the foregoing demurrer' and the same is not interposed for Although great ignorance of our faith and system is displayed in the delay merely. ARTHUR L. THOMAS. Review article, and the author might

Sworn and subscribed before me condemnation that should attach to this, 21st day of February, A. D. the wilful line, yea the desire to mis- 1881.

O. J. AVERILL, Clerk. By H. G. MCMILLAN, Deputy Clerk.

tary of the Territory then perform-ed the functions of the Governor. [On this point Judge Sutherland read section 1843 of the Revised

brought in the name of the real party in interest. 3. The said writ is uncertain in this, that is does not allege that at the time of the demand and of ap-plying for said writ and the com-mencement of this action, Ell. H. Murray, the Governor of said Utah Territory, was absent therefrom, or had otherwise at that time vacated broke out at noon in a saloon on Cliff Street and destroyed a number of buildings; total loss about \$50,000. number of votes, and claimed that The fire was caused by a chandelier the returns would not enable the falling on a stove in the saloon. There is much excitement and sevovernor to arrive at that conclusion; but there was no requirement in the Act that the Governor should determine who is elected from the returns. The Governor in the per-formance of his duty acted judically; eral shooting affhirs, none serious.

NEW YORK, 21. - Col. Hadley returns. The Governor in the per-formance of his duty acted judically; his acts were not solely ministerial. [Referred to decisions on that sub-ject.] No court had a right to die-tate to the Governor what decision he should make. The court, he con-tended, had no power in the matter. It had no power to coerce the Gover-nor finto a performance of his du-ties. He was responsible not to the court, but to the federal source from whence he received his appoint-ment. writes the newspapers that he never saw or heard of the Morey letter un til after its publication, and suggests that the authorities offer a reward of \$5,000 to \$25,000 for the author, and 5,000 to \$25,000 for the author, and immunity from punishment to the person who did write the letter, if he will make himself known, it be-ing anderstood that neither myself nor any member or agent of the Democratic National Committee Democratic National Committee shall receive reward or immunity. The Colonel further proposes that if the authorities will guarantee im-munity, he will undertake to place the reward agreed upon within the sums named in the National Bank, to the credit of the committee, who chall have authority to nay it over.

shall have authority to pay it over. Beecher Won's Go Out.

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the instructed very little, the policy of the Church being to keep the charce in passes poor and ignorant. They is that attack their failth or appeal to their faces on? They have prescribed as a certain in the Territory. We have notice in faces in "Judge" Goodwin's collection of the faces and office, take and sub-that the faces mathematication. It is not true that an allen woman can before ever a mine was open treated to their faces on? They have prescribed as a certain in the Territory. We have notice in faces on the faces and, show the the command within the territory. We have notice in faces on the faces o





L.80 p.m. Court met again at this hour. Mr. Brown then opened the argument on behalf of the plaintiffs. He commenced by stating that if he

181. O. J. AVERILL, Clerk and the write might, if he write might write the bonts with the points with the make against the same against the same

that was sufficient. The other side had asked the court to take ju

dicial notice who was' Governor: Mr. Brown hoped the Court would take judicial notice of that fact. The

had improperly brought this writ, inasmuch as it was in the name of the people of Utah instead of in the

cts with a church rule, the law is held as naught, and, to defeat the accettion of such a law, perjury) is held to be instead of a crime, a vir-

"The vote of Idaho for Congressnen was carried at the late election a brief order of George Q. Canin, directing Mormons in that Territory to vote for a certain man. Salt Lake City; but all the Mor-mons voted in Idaho as a unit." But for the mines no outsider

could find anything whereby he could earn a living in Utah."

Were it to suit some political party to give Statehood to Utah, every Gentile would be forced to move away; the mines would be taxed so that it would be impossible to work them, and nothing electrony would remain. The Mormons have shown their eagerness to do this al-ready. Their legislature passed a bill laying a tax of 20 per cast on the gross proceeds of mines, and the veto of the Governor was all that

vented the bill becoming a law."

"There is no doubt that the orig-inal Mormon creed was evolved from the crafty brain of Sidney Rig-make a living which they cannot

one to prove from these works of either of them anything like the accusations of "Judge" Goodwin. We do not suppose that he knows] anything about them ed with the facts of our history, folly and at the same time inclusion age, that he had never read it. We pre-sume that he is equally ignorant of the book of Doctrine and Covenants, the book of Doctrine and Covenants, and also of "the code of Peru under the rule of the incas", or he would have

dog barking against the dead lion. A libel against a great and royal soul, who was and is as much above

Brigham Young, A case of a living

"Mormon Bishop"who, by the by,

his cowardly defamer as honor, truth and dignity are above mean-

pressed in the plosing paragraph in In Utah the hallot is given to which advice is given to "wrest the nen, and the law is so framed offices (local) from polygamists." a month after reaching the people are wanted by adventur-

to learning the truth from those who gainst the Book of Mormon, know, "or by some other means" time acknowledge he learn a little of the subject,

vernment. In other words, the not a Bishop. It was published that they had a right to apply to the respondent to perform the duties that that they asked this coercive originally in the San Francisco *Chronicle*. Public men who have been "interviewed" know how necu-rately (?) their opinions and utterances are portrayed in print by the 26 Austin Friedroger agarava In addition to this is a disgraceful

attack upon the dead. A piece of brutal abuse of the late President

gain elsewhere. They desire to con-

never have attempted to draw any art THE MANDAMUS CASE. parallel between them. The Doc- THIS morning, at 10 o'clock,

the respondent to perform the duties that that they asked this coercive process against him for. Suppose, said Judge Sutherland, they had taken out this writ against any other citizen, simply changing the title of the action from "Acting Governor of Utah" to that of citizen, the court would have to take judicial no-these that another person oc-cupied the position of Gov-ernor. There was not, however, an allegation in the whole of the al-ternate writ that Arthur L. Thomas

ternate writ that Arthur L. Thomas is Acting Governor of Utah, and there was no allegation that at the time this writ was served upon the re-spondent to appear before the court there was any temporary or other vacancy of the office of Governor, so

vacancy of the office of Governor, so as to prevent Eli H. Murray, Gover-nor of the Territory of Utab, from acting. That, he considered was fatal. They did not show a title to call upon the respondent; they did not show that any duty rested upon him. By the statute the writ of him. By the statute the writ of mandate might be issued by any court in this Territory except the jus-tices to compel the performance of an act which the law specially en-joined as a duty. [On this subject Judge Sutherland referred to Hyde on extraordinary legal writs, sections 150 and 536.) As regards the con-tents of the alternative writ the general rule was that it should al-lege facts which went to constitute the duty. In this respect the plain-tiffs had failed. They had not shown the facts which imposed upon

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the duties

from the erafty brain of Sidney Rig dof "" "The Mormon Church is a foreign in a disconterment between the section of the write field, or in a strandmark significant sections of the section of the secti actions to be brought in the name of the real party interested. [Read sec-tion 4 of the code, and called attention to some decisions on the subject.] The next point he thought was that the mandatory part of this writ required the parformance of a duty which was discretionary and duty which was discretionary and thus the part of this kind were not always made of on behalf of the candidate, but qu as frequently in behalf of the peo-at large. Mr. Brown quoted the part of the candidate of the peo-at large. Mr. Brown quoted form. All proceedings in cases of this kind were not always made out on behalf of the candidate, but quite udiciary. It was generally held that the duty of a governor was regulat-ed by statutes detailing his duties... paring out this assertion, and went to the people was vastly than to Mr. Cannon, and more than to Mr. Cannon, and therefore the people, 18,500 of them, had a perfect right to lay this writ. The pext point taken up by the opposing counsel was that the duty required of the Governor was a discretionary and not a judicial one. Mr. Brown claimate accordingly. That was a min sterial duty. This was not such ase. There was not a statute either

1881, as they did allege, then Thomas It is decided in Canada to give on the Governor's departure, be-Hanlan a great reception and a sercame Acting Governor on the 8th, and it was quite unnecessary for them to say that he continued to be A coffin company on Car street Cincinnati, was damaged \$30,000 by fire; insured.

Four more artist students died from injuries in the Munich accident Friday night. Bettie Adams, a young lady of In-dianapolis, suicided by shooting,

cause unknown. Baptiste Costa, the Italian who killed his brother near Collinsville, Ill., is arrested. The Czar has sent aids-de-camp to distribute money in the famine-

stricken villages. And for all such weighing, entries and certificate, the Weighmaster shall charge and receive a fee not exceeding fifteen cents, from the There is a great Turkish military council to-day; all the military authorities are present.

erson requiring such service. SEC. 4. It is hereby declared un Rockwell & Purchell's printing tablishment, Boston, damaged fire \$30,000 partially insured. The ditches near Caddow, in Colorado, are dotted with dead cattle on account of the cold weather.

In a dispute over cards at Eagle Pass, Tex., a man named Reilly, was shot dead by Tom Leaky. Gen Phil, Sheridan, John C. New,

Jas. Harlan, Iowa, and Chas. J. Folger Chief Justice of the New York Court of Appeals, were at Menthe sum of five dollars. tor yesterday.

SEG. 5. Each and every load of Lay, straw, or coal offered for sale in said city shall be weighed at the public scales or at the scales of any The commissioner of the general land office has rendered a decision approving the survey of the Rancho Pass de Bartolo, containing 8,991 acres, in Los Angeles County.

The First Universalist Church at Worcester, Mass., raised \$46,000 to-day, wiping out its debt. Debt rais-er Kimball, at Plymouth Caurch, raised \$43,000 of the \$46,000 debt.

The aggregate receipts for the year of the American Tract Society, in-cluding balance brought forward, amount to \$382,283; donations and legacies, \$79,124; expenditures \$378,-882.

Both political parties in St. Louis are making active preparations for the municipal elections in April. Both sides will nominate tickets, and a vigorous campaign will be conducted.

The elevators of St. Louis are busy oading barges with wheat and grain for foreign shipment via New Or-leans; 300,000 to 400,000 bushels will be sent early this week, and more will follow. The beginning of hostilities is mo-

mentarily expected at Cape Coast Castle, The Ashantees are three days' march away; 450. troops and the crew of a gunboat have arrived and some gatlings have been land-

Saturday evening four shots were heard in the neighborhood of the Tex-as Pacific passenger depot, at Dallas, Texas. A crowd gathering, found the corpse of A. R. Struthers, a weating cattle man, of Ennis, Tex. No clue to the murderers.

At the annual meeting of th American Tract Society at Washin ton, addresses were made by Justi Strong and Representative Hashe the latter giving the result of his personal observations as to the use fulness of colportage on the from

While in a procession of Sunday school scholars at Hull, Canada, a girl was abducted by her brother-in-

services, the kind of loading, the gross weight and the weight of the empty vehicle, and shall deliver to the teamster a certificate showing the name of said teamster, the gross and net weights of disiend and the kind of loading, *Provided*, That in no instance shall a certificate issue until the empty vehicle is first re-turned to said scales and weighted. And for all such weighting outple

Do you prefer an OBGAN that has been purchased by the leading musicians, in this Territory, and preferred to all others for their own use, and recommended by them as the best? Then buy a



Would you like to purchase an OEGAN that has a world-wide reputa-tion, and that has been pronounced by the best judges in the world, at all the WORLD'S FATES, to be the best made? Then get a

Mason Tamlin. If you desire to procure an ORGAN that you will not be under the ne-cessity of exchanging, at a loss, for something better after a few years' use, and that will give you life-long pleasure and satisfaction? Then by all

SEC. 4. It is hereby declared un-lawful to stand upon, the public streets, lanes, alleys, or other public places of said city, any wagon, cart, sled, or other vehicle, loaded either with hay, straw, coal, wood, char-coal, lumber, posts, or shingles, for the purpose of exposing such load-ing for sale, except at such place or places as are or may be designated by the City Council; and any person violating the provisions of this sec-tion shall, on conviction, be fined in the sum of five dollars. ins buy a als



Lake City.



THOMRANDS IN DAILY USE IN THE TERRITORY.

Congress or of the Territory Governor was a discretionary and not a judicial one. Mr. Brown claim-ed that the people had a right, wher-ever there was a ministerial duty imreach the conclusion as to who is e elected Delegate to Congress. Sec. a LS62 of the Revised Statutes of the r

