

from its use is more marked and unyielding than any other form."

As to its supposed efficacy as a curative for either the alcohol or opium habit, he says:

"I think it, for many, notably the large and enlarging number of opium and alcohol habitues, the most fascinating and seductive, dangerous and destructive drug extant, and while admitting its great value in various disordered conditions, earnestly warn all against its careless giving in these cases, and especially insist on the great danger of self-injecting, a course almost certain to entail added ill. To the man who has gone down under opium and who thinks of taking to cocaine in hope of being lifted out of the mire, I would say, 'don't,' lest he sink the deeper."

I have yet to learn of a single instance in which such an effort reached success; but know many cases where failure followed, or, worse, cocaine or coca-morpha addition. And the need of caution against free and frequent use of cocaine in these cases, for there may come a demand for continued taking that will not be denied."

We have heard of resort to this demon in disguise for relief from nervous disorders in this city. It is to be hoped that all who have any concern for the welfare of their fellows will use such influence as they have, to prevail on persons tempted to use the devilish drug not to give way and bring themselves to physical and moral ruin.

WHERE CORPORATION PAPERS MUST BE FILED.

The question as to the proper place to file articles of incorporation appears to be still under discussion. Corporations are being organized under the laws of the Territory and yet the provisions of those laws are in some cases entirely disregarded. If those laws are in force in their entirety, the associations formed without compliance with their provisions are not legal corporations. If those laws have been repealed, then none of the associations organized under them have been incorporated; they are simply business companies without corporate privileges.

The dispute has arisen in consequence of hasty judgment on the meaning of Section Twelve of the new Act of Congress in relation to Utah affairs. We have already published the law, and also the section in dispute in connection with an argument upon the legal definition of the term "jurisdiction," which is the turning point of the whole discussion. The jurisdiction conferred upon the Probate Courts or any judge thereof, otherwise than in respect to the estates of deceased persons and matters of a relative and similar character, are transferred to the District Courts of the Territory.

But the word "jurisdiction" has a definite legal meaning and, as we have previously shown, it signifies the exercise of judicial functions in the determination of some cause. The chief object of the section making the change was, doubtless, to take away jurisdiction from the Probate Courts in cases of divorce, and leave them to the District Courts with which formerly they held, on these matters, concurrent jurisdiction.

Filing papers, taking acknowledgments and accepting bonds do not come within the powers defined as jurisdiction. If so, then city recorders, county clerks, notaries public and other non-judicial officers exercise jurisdiction, for they are authorized by law to do all these things in certain instances, and such duties are not regarded as anything more than ministerial.

Examination of the incorporation laws of Utah, we think, must dispel the illusion as to filing the papers of private corporations in the District Courts. The act of Congress says the laws of Utah conferring jurisdiction on the Probate Courts or any judge thereof, other than that mentioned, "are disapproved and annulled." Will it be contended that this annuls the corporation laws which require certain papers to be acknowledged and bonds to be approved by the Probate Judge? If so, then we have no corporation laws, and no new association organized since the passage of the new law is a legal corporation. But the act of 1844 on private corporations does not confer any jurisdiction upon Probate Courts, in designating where corporation papers shall be acknowledged and filed. There is nothing in that which requires the exercise of jurisdiction on the part of Probate Judges. All that can be done in that respect under that law, by those officials, is to receive the acknowledgment of three of the members of the body concerning their agreement to associate in business, and accept the bonds of the officers when the association is organized.

If filing papers is "jurisdiction," what does the act of Congress depriving Probate Courts of jurisdiction other than that specified in Section Twelve, intend to convey in Section Nine, which requires certificates of marriage to be filed in the Probate Courts? Does the new law contradict itself? Or is not the term "jurisdiction" used therein in its well known legal sense? If section Twelve means that legal papers must not be filed in the Probate Courts, why does section Nine of the same law provide that certain legal papers must be filed in the Probate Courts?

There is another point to be considered. In the corporation laws Probate Clerks or County Clerks are designated as the proper persons with whom certain papers are to be filed, and of whom certain certificates are to be obtained. The new law does not deprive those officers of any of their functions. They have no "jurisdiction." The articles of agreement and the oath or affirmation taken before the Probate Judge are to be deposited with the Probate Clerk of the county where the business is to be carried on and by him recorded in a book kept for the purpose. The oath of affirmation and bonds of the officers are to be filed in the office of the County Clerk. The Clerk of the Probate Court is to issue a certificate under the seal of the Court that the articles, oaths, etc., have been filed according to law, and then, in certain instances, that certificate, with a copy of the agreement "certified to by the County Clerk," is to be filed in the office of the Secretary of the Territory; but corporations formed for religious, social, benevolent, educational or scientific purposes, or corporations formed for the construction and operation of irrigating ditches, or corporations known in this Territory as "co-operative mercantile institutions," the law says, "shall not be required" to file those papers with the Secretary of the Territory.

The law provides that the certificate of the County Clerk, under the seal of the Court, shall be evidence of the due incorporation of a company. Have all the associations that have been formed recently obtained the certificate required by law, that the papers have been filed in the office of the Probate Court? If not, they have no legal evidence of incorporation, and the filing in the office of the Secretary of the Territory is worthless. The filing of the incorporation papers in the office of the County Clerk of the county where the business is to be carried on, is an essential part of the incorporation. That is the proper place for its deposit, not in the office of the Clerk of a District Court that may be many miles distant, and which is not designated by any law, territorial or congressional, as the place of filing.

The Poland law in 1874 took away from the Probate Courts all "civil, criminal and chancery jurisdiction whatever" except in the settlement of the estates of decedents, guardianship and like matters, and concurrent jurisdiction with the District Courts in divorce cases. But no one ever thought of classing the filing of papers, taking of acknowledgments and accepting of bonds under the term "jurisdiction," used in limiting the powers of the Probate Courts in the Poland law. Referring to the power conferred on those courts to enter land in trust for the use and benefit of towns, that law was careful to use the word "authority" instead of "jurisdiction," because the latter had been distinctly limited, while the former was retained as to matters not judicial.

So the Probate Courts may exercise authority without exercising jurisdiction, and perform ministerial acts required of them by law, without stepping over the new limits which have contracted their judicial powers. Who ever heard before of the "jurisdiction" of persons authorized to file papers and take acknowledgments? Has a notary public any jurisdiction? Has a recorder of a city or a county jurisdiction? Has the Secretary of the Territory jurisdiction? If the term has ever been so stretched as to convey the meaning sought to be given to it now, so as to accumulate fees in the District Courts, let the word-twisters furnish a respectable precedent for their peculiar definition. We think that those business associations which have not complied with the laws of the Territory, under which alone a corporation can be formed, will find out, some time, that they have made a most egregious blunder.

CHICAGO POLITICS.

Politics in Chicago is a peculiar quantity in the grand make-up of human affairs. There are now three tickets in the field for city officers—Democrat, Republican and Labor—and the question as to which will come out with a plurality—a majority being impossible—is really an interesting one. As between the Democrats and Republicans the municipal vote is nearly evenly divided, with a slight advantage in favor of the former, especially when good men are nominated; but now comes the disturbing element of a third party, comprising most of the laborers, and all the Nihilists, Anarchists, Socialists, Communists, etc., and constituting a large army; of course they will draw freely from both the old parties, and if they do not draw enough to elect their own candidates, the question then is, which of the two others' ranks will they take the least from?—for that party will be successful.

The Chicago Democracy were in a serious as well as ludicrous plight for several days. Carter H. Harrison has been their standard bearer for four consecutive times and has won every time; of course his following looks upon him as a sort of political Alexander, and his nomination by the convention for the fifth time was a matter of form, the carrying out of a regis-

tered decree, as it were, and not having forbidden it, he was supposed, and properly so, to have accepted in advance. But when the foreordained action was consummated and Harrison placed in nomination, he appeared before the convention and "respectfully declined." Here was a kettle of fish for the "unterrified" had not bargained for and consequently did not expect; and as they had not thought of anyone else, no nomination was made but a committee appointed to select a candidate and report; Harrison was then labored with, and after explaining that the reason of his declination was that he had been personally assailed and charged with treachery to his friends, and that President Cleveland was opposed to his election, he was soothed into a second acquiescence. In great glee it was announced that Carter would make the race, but the announcement was no sooner made than he, thinking perhaps how absurd if not stultifying his acceptance and declination looked alongside of each other, recalled his action and publicly, positively and finally declined—this time for good and all. Then, the hosts of Democracy were at sea! In their desperation they appointed another committee to scour the city and hunt up a candidate. Just think of a \$5,000 a year office, with numerous perquisites, going a-begging for even a few days in this office-hunting country! Several supposed eligibles were found, but no one seemed willing to make the plunge into the political Tiber, the chances for success against Republicanism and Socialism being too narrow, perhaps. But a dispatch received by the News late yesterday afternoon announced that Harrison is again in the harness and this time to stay. The convention received this as final, and with a sigh of relief at being extricated from its acrophalous condition, the Democracy disbanded to meet no more until election day. It will be an interesting contest but the chances seem to be slightly in Harrison's favor.

"BUSINESS IS BUSINESS."

It comes to us in a sort of second-hand shape that a movement is on foot to establish in this city a board of trade.

According to the chief anti-"Mormon" organ, it is to be a strictly non-partisan affair, in which matters of creed will be kept completely out of sight. It is to be a sort of homogeneous concatenation of conflicting elements in which a certain class of "Mormons" are expected to fall upon the business necks of their sworn enemies and weep from the effects of unalloyed financial ecstasy.

This is not an exaggerated sketch of the pathetic picture; the same paper which holds out the non-sectional announcement with one hand does not half conceal the poisoned dart of factional hate and purpose in the other. It is declared that the proposed board will be a powerful agent as an opponent to the "Mormon" Church. To put it mildly, the advance dual explanation is somewhat disingenuous. But perhaps this lack of tact may be explained on the hypothesis that even a pure stream of enterprise could not pass through such an unwholesome conduit without contamination and giving out an offensive effluvia at the emptying point.

It is further announced that politics is to be eschewed, that no obstruction from that direction may be placed in the way of the expected business millennium. "Agitation," the great depresser of prosperity, is to vanish into thin air.

This is a good plank for the proposed platform. It is a rosy thought, but it carries a doubtful perfume not very grateful to the mental olfactory of thoughtful and observant people. It is well known that not a few of the non-"Mormon" business men of this city belong to a political organization known as the "Loyal League," the members of which are under obligations to do all in their power to rob the "Mormons" of their rights. They have done all they could in that direction thus far, the recent villainous legislation being largely due to their efforts. Their henchmen—the three B's—Bynon, Bennett and Baskin are now in the field acting as itinerant stumpers to keep up the political agitation that is to be buried under theegis of the board of trade. How beautifully consistent to talk about eschewing agitation for the sake of business when a trio of political buzzards are thus busy.

"Business is business," one of the characters depicted by the facile pen of Dickens, used to exclaim. So it may be said, "Politics is politics." The complexion of the proposed organization, should it become an accomplished fact, may furnish another indication of the inwardness of the scheme. If it is to be comprised, in any degree, of politicians pure and simple, nothing can relieve it from a political cast. The business men of this community are pretty well known. Politicians, political hacks and barnacles are also known. There is also some knowledge abroad as to who are the "unrelenting foes" of the great majority of the people. It is not to be expected that the latter should suddenly have unreserved confidence in the business, political or any other friendship of those who

have sought to enslave them. It will be necessary to convince them, by a course of good works, that the professed change of heart is not simply and solely based on a desire to produce a change in the condition of the pocket.

The statement in our unfair contemporary that political agitation has killed prosperity, is true. The class that have kept up and maintained this condition are known. By their schemes and plots and demands for unconstitutional legislation they have placed a ban upon those belonging to the most enterprising portion of the community, and completely tied their hands in a business sense, as well as otherwise. To talk about a boom by organization while a great part of the people are trodden down is a sort of superficial business idea that does not strike the thoughtful mind with great force. First remove the admitted cause of business stagnation—political agitation—and so far as practicable also wipe out the present effects of its past prevalence. The boom will come then.

A FLAME AND POWDER COMBINATION.

A Chamber of Commerce and Board of Trade, conducted solely for commercial and business purposes, might be a good thing for Salt Lake, if kept strictly within the bounds of its nominal purpose. But no body can hold together, the elements of which are essentially incongruous. It is useless to deny that there is a radical disagreement between two classes of business men in this city which renders fusion impossible. All the articles of agreement and rules of action in the world will fail to harmonize them or enable them to work in unity while those antagonisms remain.

When certain individuals who have used every power at their command to deprive the majority of their fellow citizens of the commonest rights of freedom, and have failed in their most abominable and despicable plots, ask the very individuals whom they have schemed to destroy to join in and help to boom them into financial prosperity, with the certainty that the conspirators would use the wealth thus accumulated to work further mischief to that majority, how much sense would be displayed by the latter if they dropped into the scheme?

A League has been organized here and is in actual operation, having for its avowed purpose the obstruction of this Territory in all its material interests, until the members of that League can gain political control. Every person connected with it and who sustains it by word or act or half dollar monthly dole, is an enemy to the Territory in the fullest sense of the term. How can a business man whose material interests, to say nothing more, are bound up in the advancement of Utah to full liberty under the Constitution of our country, coalesce with others, who are pledged to use their influence and money to retard and prevent that liberty and destroy what little is left to the majority of the citizens?

Men who have done their little at most to wrest from the people the small right to select their own local officers to do their own local business, and who are bound by oath to continue their infamous course, must be gifted with most sublime impudence, when they ask their intended victims to help to boost them into further power to plot and annoy and bring the people here into slavery. In the list of persons calling for a meeting to make the new combination of incompatibles, may be found the names of men who are and have been engaged in the foulest schemes for the overthrow and ruin of this community that were ever concocted for base and selfish purposes.

Mix oil and water. Unite light and darkness. Cause discordant notes to harmonize. Put the two opposite parts of a seedling powder together in water without effervescence. Make a square body fit in a round hole. Blend black and blue so as to produce white. Bid an angel rejoice in the lap of the devil. Rub matches against gunpowder to effect cohesion. But never try to mingle in charming affinity the irreconcilable elements of essentially conflicting parties, in which credal, social, political and vital differences render an amalgamation an utter impossibility!

A WHOLESALE RAID.

An incident occurred in this county this morning which instinctively drifts the mind backward into the dark ages, or at least to the condition of present nations where despotism prevails. It would, however, in the latter be difficult to find a parallel to the occurrence to which we now refer.

Nestling at the foot of the Oquirrh mountains, on the west side of this valley, is the town of Herriman. While its inhabitants were rapt in slumber, in the still hours of the night (about 2 a. m. to-day), a posse of deputy U. S. Marshals, numbering from fifteen to twenty, armed and equipped, steal stealthily upon the village. Sentinels are posted at the outlets, and the remainder of the band enter the settlement and make a search for victims alleged to have violated the

Edmunds law. For this purpose houses are searched at the sweet will of the Marshal. It is stated that but few domiciles escaped the process. Women and children were aroused and as a natural result great excitement ensued amongst them. None were allowed to leave the settlement, being prevented by the official outposts on guard in the suburbs, the village being thus put under a state of siege, so to speak.

Thus were peaceful homes invaded at an unseemly hour of the night, as good people as ever lived, not charged with any offense against the laws, practically deprived of that liberty, the right to the enjoyment of which is constitutionally and legally inviolable.

Providing the story of the raid upon Herriman be correct as it has reached us, it is deeply disgraceful, outrageous and unwarrantable. It was an invasion of some of the dearest rights belonging to the citizens of this Republic.

Speak not of the despotic official terrorism of Russia while such infamies can be perpetrated with impunity in professedly free America.

FIRST DISTRICT COURT.

Provo, April 1st, 1887. The jury brought in a verdict of guilty in the case of the United States vs. James Smith. Time set for sentence, April 15. There is to be a motion for a new trial.

J. M. Smith pleaded guilty to grand larceny, some \$270 cash, at Ashley; the parties got their money back, and all are willing for a light sentence, as the young man promises to do better in the future. He had served a year in the Penitentiary once before for grand larceny, in 1884. The Court thought the admonition of a year's confinement ought to have induced him to live a different life. He released Mr. Rich who was implicated with him, and said Mr. Rich was not guilty. The people and officers of Ashley recommended a light sentence. The court made the sentence one year and six months.

Holgate and Gardner (petit larceny) were sentenced to 30 days besides the four months already served.

The Steen case is set down for Monday. Mr. Dickson comes down for the prosecution.

The case of Geo. F. Peay (cohabitation) was called at 3:30 p. m.

Court adjourns this evening—or after this case—till Monday.

QUARTERLY CONFERENCE OF THE ST. JOSEPH STAKE.

The Quarterly Conference of the St. Joseph Stake convened at the new meeting house at Central, March 19th and 20th, 1887.

There were present on the stand President Layton and Counselor W. D. Johnson, also the Stake and local authorities.

After a few opening remarks by President Layton, verbal reports were given by the following Bishops: Thatcher was reported by Bishop Samuel Claridge; Pima by Counselor J. A. Burns, Graham by Bishop P. O. Peterson, Central by Bishop Monroe Curtis, and Elder D. H. Matthews reported the Matthews Branch of the Pima Ward, St. David not being represented.

The reports were favorable, showing a desire among the people to do better, also that there were prospects of good crops of small grain, etc.

The President of the High Priests' Quorum reported the High Priests, President John M. Moody the Seventies, President James Duke the Elders, Elder Seth Olerton the home missionaries, Superintendent J. W. Johnson the Sunday schools. The Stake Secretary Willford Webb read the report of the Sunday schools, all of which were encouraging, especially that of the Stake, showing a two-thirds average attendance.

The remainder of the day was occupied by Presidents Layton and Johnson who made remarks encouraging co-operation, storing of grain, beautifying our homes, etc.

The assembly was dismissed by Bishop John Walker.

Sunday, 10 a. m. After the usual opening exercises Bishop Claridge and Elder John M. Moody spoke of the United Order, the restoration of the Gospel, etc.

President Layton endorsed the remarks of the previous speakers and felt that the time had come for the people to be more united. His remarks were replete with valuable instruction. Dismissed by Elder W. C. Moody.

2 p. m. After the sacrament had been administered the clerk read the statistical reports and presented the general and local authorities, which were unanimously sustained.

Elder William Packer addressed the congregation on the Word of Wisdom, showing the young people the duties and obligations we owe to our parents, etc.

Presidents Layton and Johnson then made a few closing remarks indicating that they were well pleased with the reports and urging the necessity of always being prompt in getting our reports on time.

Conference then adjourned sine die, with benediction by Patriarch William McBride.

Jos. East, Clerk.