

the Syrian seaport town, is now a prosperous city of 82,000 people, with gas and water works, though fifty years ago it had but 5,000 people.

The road from Jaffa to Jerusalem will soon be finished. The locomotives for this road were made in Philadelphia, and are now in Jaffa.

The changes that are coming upon the "Holy Land" are evidences that the Almighty will use the developments of modern times in the restoration of "the covenant people" to the land of their fathers. Indeed, the improvements of the age are all prompted by His Spirit "the light of truth," which reveals to man that which will benefit and exalt.

This is a wonderful period in the history of the world. Not only are agencies and appliances new to science and art coming forth as fast as the mind can grasp and man can utilize them, but the works and relics of the past are being uncovered and the mystery shrouding the lives of the ancients is dispersing. This is the "dispensation of the fullness of times," when all things are to be gathered in one, the past and the present be aggregated, and all knowledge, truth and wisdom be culminated to prepare for the glorious immediate future—the millennial glory, the golden age.

In regard to the uncovering of remote antiquities connected with the "land of promise," the Washington *Star* has an article which we here append. It is one of the latest discoveries and speaks of events that happened in the days of the Pharaohs, and throws light upon the form of government that then existed in Palestine, which is soon to be traversed by the modern iron horse:

"The Smithsonian Institution has just received information, not yet printed or made public in this country, of the recent discovery at Tell-el-Amarna, in Upper Egypt, of a number of tablets relating to the history of Jerusalem and dating back 600 years earlier than any record hitherto known. When it is understood that these tablets of stone are letters passed between the King of Jerusalem and the Pharaoh of Egypt 400 years before the birth of David, who was the father of Solomon, some notion will be formed of their extreme interest. These letters were written, so Dr. Cyrus Adler told a writer for the *Star*, about the year 1500 B. C., and cast a great light upon the relations of Egypt at that ancient epoch. This, of course, was long before Jerusalem was captured by the Jews.

"At that time Palestine was a federation of independent cities, each of which, like Jerusalem, was governed by a 'prefect'—this word meaning literally 'king of a city.' Nevertheless, these towns paid a tribute to the Pharaoh, and it was in relation to this tribute that several of the letters found were addressed to the ruler of

Egypt by the King of Jerusalem, Abdi-Taba. In them he tries to explain, with due respect, that he occupies a more independent position than the other prefects, and ought to be treated accordingly. For example, in one missive he says:

"Behold, this city of Jerusalem neither my father nor my mother has given unto me, but the call of a mighty King."

This refers to the ancient custom in Palestine by which rulers were sometimes chosen in consequence of a supposed divine call and without any hereditary law. Having been summoned to his throne by the Deity, Abdi-Taba argued that he should be treated more leniently with regard to tribute. In another of the letters he says:

"Behold, neither my father nor my mother has appointed me to this place, but the mighty King has made me enter into the house of my fathers."

"That the 'mighty King' spoken of was the Deity is proved by the fact that to Him as authority is referred an oracle inscribed upon another tablet, which says that: 'As long as a ship sails upon the sea, so long will Mesopotamia and Babylonia conquer.'"

The chief aim of the three other letters written by Abdi-Taba is to ask the Pharaoh for military aid against foreign conquerors invading Palestine, and especially the district of Jerusalem. These warlike strangers he calls people of Habiri—in other words, they were Hebrews. It seems hardly probable that the Hebrews as a nation should have invaded Palestine at so early a date, and so it is likely that these were some advanced tribes of Israel which settled down west of the Jordan and made incursions from time to time. In one of the letters on this subject Abdi-Taba says:

"The Habiri people are conquering the cities of the King"—i. e., the cities tributary to the Pharaoh—therefore the King may turn his face to his subjects and send troops. If the troops arrive this year the countries of the King, my lord, may be saved, but if no troops arrive the countries of the King, my lord, will exist no longer."

"This tremendous find at Tell-el-Amarna includes 200 tablets, largely of Babylonian cuneiform script, which is thus discovered for the first time to have been in use at so early a period in Egypt and Palestine. Many of the other tablets are dispatches of about the same date from prefects of other cities of Palestine to the Pharaoh. Some of the inscriptions are in an unknown language, which no one has so far been able to translate. It is funny to think that Solomon himself would have looked upon these tablets as remote antiquities."

## AN IMPORTANT JUDICIAL RULING

No. 110.—October Term, 1890.

William E. Bassett, Plaintiff in Error, vs. the United States. In error to the Supreme Court of the Territory of Utah.

[December 22, 1890.]

Mr. Justin Brewer delivered the opinion of the Court.

On November 23, 1886, the grand jury of the First Judicial District Court of Utah found an indictment for polygamy against the plaintiff in error, charging him with having married one Kate Smith on the 14th day of August, 1884, when his lawful wife, Sarah Ann Williams, was still living and undivorced. Upon

trial before a jury a verdict of guilty was returned, and he was sentenced to imprisonment for a term of five years and to pay a fine of five hundred dollars. Such sentence, on appeal, was affirmed by the Supreme Court of the Territory, and is now brought to this court for review.

A preliminary question is presented by the Attorney-General. It is urged that there was no proper bill of exceptions as to the proceedings in the trial court, and therefore nothing is presented which this court can review. But we are reviewing the judgment of the Supreme Court of the Territory; and the rule in this court is not to consider questions other than those of jurisdiction, which were not presented to the court whose judgment we are asked to examine. (*Clark v. Fredericks*, 105 U. S. 4.) Beyond the fact that the proceedings of the trial court were examined and considered by the Supreme Court of the Territory, and are, therefore, presumably reviewable by this court, is this matter, noticed in this court in the case of *Hopt v. Utah*, (114 U. S. 488,) that a large liberty of review is given by the statutes of Utah to the Supreme Court of the Territory, even in the absence of a formal bill of exceptions. (See also *Stringfellow v. Cain*, 99 U. S. 610; *O'Reilly v. Campbell*, 116 U. S. 418.)

But it is unnecessary to rest upon this recognition by the Supreme Court of the Territory, or the presumptions arising therefrom. The record shows the pleadings, proceedings, and exceptions to the charge of the trial judge, all certified properly by T. A. Perkins, the clerk of the trial court. At the close of his certificate, which is of date of January 20, 1887, is this statement: "And I further certify that a copy of defendant's bill of exceptions in said cause is not made part hereof because said bill of exceptions is in the possession of defendant's counsel, at the City of Salt Lake, and because I am informed by said counsel that it has been stipulated by and between themselves and the United States district attorney for Utah Territory that the original thereof in place of such copy should be used in the Supreme Court upon this appeal." The bill of exceptions referred to by him in this statement is signed by the trial judge and thus endorsed: "No. 984. First Dist. Court, Utah. The United States vs. William E. Bassett. Polygamy. Bill of exceptions. Filed January 19, 1887. T. A. Perkins, clerk;" and also by the clerk of the Supreme Court of the Territory as "Filed February 2, 1887," the date of filing of the transcript of the proceedings of the trial court. The import of all this is that the bill of exceptions signed by the trial judge was filed in the trial court; and that, for the purposes of economy, time and convenience, such original bill, together with the record of the proceedings, was brought to and filed in the Supreme Court after having been filed in the trial court. It needs but this suggestion, that if a copy is good