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DURING THE MEETING OF THE GRAND LODGE OF ELKS IN THIS CITY, IN AUGUST, WE WILL PUBLISH A BEAUTIFUL SOUVENIR EDITION OF GOODWIN'S WEEKLY. THE EXECUTIVE COMMITTEE OF THE B. P. O. E., 85, HAS GIVEN ITS SANCTION TO THIS PAPER TO PUBLISH THE OFFICIAL SOUVENIR, AND WE PROPOSE TO PUBLISH A HANDSOME PAPER, WITH COVER IN PURPLE, AND WILL CONTAIN SPECIAL ARTICLES ON THE CITY, STATE AND THE ELK LODGES. ILLUSTRATED THROUGHOUT WITH HALF-TONES, BESIDES THE PROGRAMMES FOR THE WEEK, STORIES, VERSES, AND OTHER REGULAR FEATURES OF THE PAPER. SEND YOUR ORDERS TO BOX 1074.

A RIGHT DECISION—THE HILTON-ROYLANCE CASE.

The decision of the Hilton-Roylance case by the Supreme court, it seems to us, is the only one that could have been made under the law. The parties under the rites of the church to which they belonged were united by a covenant called sealing. It is explained that this was merely a spiritual adjustment intended to give the lady a certainty of possessing a husband in the world to come. But evidently this was distrusted even at the time, because a church divorce was resorted to to break the tie. The proceedings for divorce were a full acknowledgment of the marriage. The laws prescribe but one way through which a divorce can be obtained and this way was not resorted to. But there is much more to this matter. The Mormons proceed under a so-called prophecy which to them is a real prophecy. When that is examined we discover that the prophecy makes sealing a marriage for time and eternity, and pronounces fearful penalties against all who would change its expressed command in the least. It is clear that this was perfectly understood by the parties at the time, else no form of divorce would have been resorted to. Again, there can be no other understanding of the ceremony, for construed as it was sought to be construed, there could be no possible legal check on wholesale polygamy under the name of sealing. It is clear that the man and woman who were principals in this matter were absolutely married. The officiating priest had power to perform the ceremony, the form followed was the accepted one in the church. Nothing more would have been necessary had they began and continued to live together. That they never did does not alter in the least the legal status of their relations.

The truth is they were married and never divorced. To deny the marriage is to fly in the face

of the prophecy of Joseph Smith, and the expounding of the prophecy by all the distinguished successors of Joseph Smith in the Presidency of the church. Being married, they were never by any legal process, by any process accepted by the law, divorced. And there you are.

The News says that in order to reach its conclusions the court had to go outside the record of the case.

That is true. The court was called upon to pass upon the validity of a marriage that was solemnized when Utah was practically under ecclesiastical rule. The court naturally had to investigate what made a valid marriage at that time.

The News tells of "numerous cases of sealing in which the parties were united for time only." Has that been where both the man and woman were Mormons? If so, by what authority was the marriage revelation as given by Joseph Smith set aside?

Again, the News says, "a sealing may be for eternity and not for time; that this is a matter which is not explained in church meetings and with which courts have nothing to do."

That may be true, but the case in hand was so manifest that the parties sought a divorce. The fact of their seeking a divorce was prima facie evidence that they believed they were husband and wife.

The argument of the News that there is nothing in the certificate given by the minister who performed the ceremony "that settles the question as to the scope of the ceremony." That was why the court went to the books of the Mormon creed to ascertain just what scope such a sealing had.

Again the News says: "The President of the Church never issued such documents (a certificate of divorce) in the case of a legal wife unless it has first been passed upon by a civil court." That may be true now, but how was it when this divorce was granted? Is it not true that divorces were given with as little ceremony as the old Israelites employed when they gave their wives a writing that they were tired of them?

It is one of the painful reminders of what transpired in Utah when the power that ruled here defied the power of the sovereignty of our Republic. It may be unpleasant and uncomfortable to have such things sprung at this date, but the law is law.

It is good to celebrate Pioneer day. The miracles wrought in Utah since the coming of the first band do not in the least diminish their place in history, rather their memories take on more and more majestic proportions. They faced the wilderness, the desert, a poverty that was heart-breaking, privations that were appalling, hardships that were hard to bear, yet they faltered not, but every day held a praise service and ploddingly, and apparently unconscious of the splendor of their work, laid the rude foundation of a state. Their coming was an epoch in Utah, the anniversaries of the day of their arrival cannot be too much celebrated.

The wires report that Judge Thomas P. Hawley of the United States court at Carson, Nev., will retire from the Bench and become a candidate for United States Senator. He has been 30 years on the bench, eighteen as Supreme court judge of Nevada, and twelve as United States judge.

Judge Hawley belong to "the tribe of God Almighty's gentlemen."

JOHN W. MACKAY.

If there is a young miner in Utah with good health, strong arms and a clear brain, let such an one take courage. He has as much capital as John W. Mackay had 42 years ago. If he says to himself: "I was born without a name that is known among men, without one influential friend, without money," let him still take courage, he has as much to start in life with as had Mr. Mackay. If with it he has the courage, the resolution, the fortitude, the high purposes which from the first were Mr. Mackay's, and if he, like Mr. Mackay, believes that the decree which made toil imperative upon men was just and merciful, he will succeed. He may not accumulate as many millions as the great financier did, but there will, as his soul takes its flight, come streaming back the same clear light that reflects in everlasting whiteness the character of John Mackay.

If misfortune pursues him up to middle age, let him not despair. Forty-two years ago when the winds were howling around Mount Davidson, when it was bitterly cold and there was not one comfort for the men who were gathered on the Comstock, Mr. Mackay said: "If I can get my traps together and sell my interests here for \$5000 I will find me a home in some pleasanter country."

But if any young man determines that he will seek to emulate Mr. Mackay, he must not forget that there are other essentials which he must possess besides those named above. He must keep his heart warm and generous. He must so pass his days that he can take his self-respect to bed with him every night; his private life must never be questioned and when misfortunes, those shafts of fate, come hurtling about him, he must bare his brow to them and smile as they smite him. The first \$300,000 which Mr. Mackay made he lost. When the Sierra Nevada Bonanza collapsed he lost \$4,000,000. In the wheat deal, engineered by a trusted cashier in the Nevada bank, Mr. Mackay's personal loss was \$6,000,000 and for weeks he did not know that one dollar would be saved from the mighty wreck, but his bearing was more lordly than ever, the smile on his high face was serene as ever and the fire in his clear eyes was undimmed. The loss killed his partner, it but gave a new temper to the steel of Mackay's resolution.

John Mackay's death is an international loss. He was an honor to his race; he was a strong factor in the business of two continents; his example was the highest of all the rich men of America. He moved a peer among the highest; he was ready to measure swords with the keenest, but his heart was down among God's poor and he wanted increased blessing upon his country, that more opportunities might be opened to those poor.

His highest native attribute was his courage, both moral and physical. To do an unworthy act he held as cowardice, and with him cowardice was the unpardonable sin. When he was poor his acts of charity were countless, as his wealth increased his heart kept expanding, his old abruptness passed away and he was gentler, kinder than before.

He kept his mind under constant training; he was as gracious, graceful, as unaffected a gentleman as lives; he read much, was a shrewd judge of art, a passionate lover of music. Once when the bonanza was giving up \$1,000,000 a week and all was excitement, he one day roused himself from a day dream and said, "What is so splendid as a perfect tenor voice?" He traveled much, was familiar with all Europe, he could with graphic