

months, or by a fine of not more than \$1000; but subsequent intermarriage of the parties may be pleaded in bar of conviction.

The next section is as follows:

SEC. 5350. When any person is convicted under the provisions of the preceding section, the court may, in its discretion, by an order entered on its minutes, direct the amount of the fine, when imposed and collected, to be paid for the use of the female seduced or her child, if she have any.

The next section provides that—

No conviction shall be had on the testimony of the female seduced, without other evidence, nor unless the indictment is found within one year after the arrival of the vessel on which the offense was committed at the port for which it was destined.

There the principle of the law is distinctly and clearly laid down that in order to avoid fraud, in order to avoid corruption, in order to avoid blackmailing, the party claiming to have been seduced cannot go into a court of justice and convict the alleged offender by her own testimony; but it must be supported by testimony *alibi*. That is something reasonable. There, I say, where the crime is the highest crime, in my judgment, that can be committed against the person, the law, as it stands upon the statute-books, fixes the penalty at twelve months' imprisonment. Here the penalty for the crime of adultery is fixed at three years in the bill.

What else? Section 3 of the bill provides—

That any prosecution under any statute of the United States for bigamy, polygamy—

Now mark the next—

or unlawful cohabitation may be commenced at any time within five years next after the commission of the offense; but this provision shall not be construed to apply to any offense already barred by any existing statute of limitation.

That language, "bigamy, polygamy, or unlawful cohabitation," embraces both adultery and fornication, and you can bring this prosecution after the lapse of five years from the commission of the offense. Now, let us turn, if you please, to the cool and deliberate statutes which have been placed upon the books, and which have heretofore controlled us in respect to limitation.

SEC. 1043. No person shall be prosecuted, tried, or punished for treason or other capital offense, without murder excepted, unless the indictment is found within three years next after such treason or capital offense is done or committed.

So you have the singular condition of things that for the high crime of treason, for murder in the second degree, or any other felony save that of murder in the first degree, the prosecution must be commenced within three years after the time of the commission of the offense or it is thereafter barred; and yet here, where you have a case of fornication, where the penalty upon conviction according to this very bill is only six months' imprisonment, you can open out that case and try it five years after the commission of the offense, although you cannot try murder in the second degree or treason after three years. It does occur to me that there is something supremely and superbly ridiculous in all that.

Now, what next? I was reading in respect to felony. When you come to minor offenses in the next section of the Revised Statutes it is provided that—

No person shall be prosecuted, tried, or punished for any offense not capital, except as provided in section 1046, unless the indictment is found or the information is instituted within two years next after such offense is committed.

It is a little broader than I thought, being "offenses not capital." That takes in minor felonies and all misdemeanors, and they must be prosecuted within two years. What consistency there is in the character of legislation here proposed, that for fornication, adultery, or polygamy an indictment will lie five years after the commission of the offense, when for treason or murder in the second degree it will not lie after three years, or by the amended statute for any felony less than capital after two years. Sir, there is a strange inconsistency in this character of legislation, it seems to me.

But when you come to look at the result of this and all other extreme measures, you must see that the remedy is worse than the disease. In the case of seduction which I have put, the law says that the testimony of the injured party alone will not do, but according to the first section of this bill you can break into the bonds of a lawful marriage and you can force the wife to testify against the husband contrary to her will, or the husband against the wife contrary to his will. It does not include those beyond that, for I take the broad position that there is no marriage beyond the lawful marriage of one husband to one wife. Passing that point any one you bring forward, I care not whether you call her wife or not, is a competent witness unquestionably, because the marriage relation does not exist.

As I suggested to the Senator from Delaware [Mr. BAYARN] while I was speaking this morning, the law everywhere respects these confidential and secret relations in the highest degree. It was years before the question was finally settled in this country whether the secrets of a confessional could be brought forward and laid before a court of justice; but never in the history of an English-speaking people before this bill was presented has it been held that you could compel the wife to testify against the husband or

the husband against the wife. It is a strange proceeding.

Let me tell the gentlemen who are urging and pressing this bill that the most dangerous movement that you can make in favor of enlarging the bounds of Mormonism and polygamy is this process of persecution, for whenever you shock the sensibilities of the common mind, whenever you induce the people of the country to believe that measures are oppressive and dangerous to the best liberties of the people, whenever you get the people to believe that their sympathies are aroused, and in this as I regard it unholily movement of Mormonism, the maxim that "the blood of the martyrs is the seed of the church" will apply to those who feel themselves oppressed. Sir, it is nothing but the case of the American woman during the Revolution when she told the British officer that the camomile was like the Americans, the more you press it under foot the more it flourishes. The more you attempt by harsh and arbitrary measures to crush out an evil, that much more will that evil spread. So the gentlemen who are pressing this will, instead of being the true friends of striking down Mormonism, are unwittingly and unintentionally, in my judgment, not only fastening Mormonism on this country, but spreading and enlarging its borders. That is the view that I have of it.

Sir, take all history, and it is all alike. I have seen the day when oppressive measures designed to intimidate, to strike down, have had the effect of solidifying and intensifying and unifying a whole people. It is always that way. So long as man has courage, so long as man has manhood, he will resist what he believes to be oppression.

I voted for the Edmunds act, as it is called, and I shall vote for any bill within the limits of reason, right, and the Constitution to suppress Mormonism, which I regard as a dangerous evil in this country, for it is a curse and an evil; but start the proposition that you can in Utah make a wife go into court and by compulsion testify against her husband, and it is but one step further (and, as the French say, it is the first step which costs) when you will wind up with the same privilege being extended in every Federal court within the length and breadth of this Union, that the wife can be compelled to testify against the husband and the husband against the wife, in utter violation not only of the law but the fundamental reason upon which the law is founded.

Mr. President, I speak earnestly in regard to this question because I see the dangers ahead from the pending legislation. I see how easy it is for a vessel to float down stream towards a terrible maelstrom. But see the end. There is not a principle of the Constitution upon which this bill can be maintained and sustained, save and except upon the most dangerous of all the heresies that have ever entered the Senate Chamber—the heresy of the general-welfare clause. It is consolidation and centralization in its most dangerous form, because it is the uprooting and striking down of the law as it came down to us from a time whereof the memory of man runneth not to the contrary. It is the attempt upon a single bill and for a specific purpose to upturn all the great doctrines of evidence which are crowned by the frosts of a thousand years.

Sir, I for one have never been driven by what appeared to be the popular current to go against my judgment of right and of the Constitution. I believe that this bill is dangerous in its character, in violation of the Constitution of our country, in derogation of the rights of the people, and in its ultimate effect and design ruinous to the interests of the people not only in Utah but throughout the country.

These are my views in regard to this question. I have not the slightest expectation of overcoming a single vote by what I have said. I see the handwriting upon the wall, that the bill is to be driven through as it came from the committee. But I desire when the records of this country are made up, and when long years after we shall have passed from the scene of action, that it shall be presented upon the record that I stood by the rights of the Constitution, the rights of the American citizen, and regardless of the fact that this attempted wrong is directed towards a people for whose institutions I have as little respect as any gentleman who votes for the bill.

### JUST THE THING.

FILLS THE BILL TO A DOT, AND AS THINGS GET HOT POLITICALLY EVERYBODY WILL WANT IT.

The special edition of the B. & O. Red Book, devoted to the history of the Republican party and its antecedents, is an almost indispensable publication to those at all interested in the development of the campaign of the year. Great care is manifested in the compilation of data, and while everything is stated in the most concise manner, the information is so clear and explicit as to be readily comprehended. The chapter devoted to the origin of the party and its national outcome from the dismemberment of prior parties is of exceeding interest, as is also the points showing party policy as expressed through Congressional action. The condensed proceedings of the National Conventions of the various parties, from the earliest period of the country's history to the present,

is of no ordinary value, and it is a thing never before attempted in such form of publication. Indeed, it would be difficult to tell of all the important information gathered together and shown so intelligently in the little book.

Those who desire so invaluable a text-book for handy reference, as matters grow interesting, will not delay long in enclosing a two cent stamp with their address to C. K. Lord, Baltimore, this being the only requisite to secure a copy. In addition to the data having direct bearing upon the one party, there is a vast amount of information given as regards both parties, and with the red book at hand no one need be at a loss for an authority to settle almost any question as to political history which may come up. In common with all the B. & O. publications, it is a model of perfect typography, the make-up and type used generally being very far above the average of political text books.

### GEN. BUTLER'S PLATFORM.

Resolved, That no taxes, direct or indirect, can be rightfully imposed upon the people, except to meet the expenses of an economically administered government. To bring taxation down to this point is true administrative revenue reform.

Resolved, That the people will tolerate direct taxation for the ordinary expenses of the government in case of dire necessity for war.

Resolved, Therefore, that the revenue necessary for such expenses shall be raised by customs duties upon imports after the manner of our fathers.

Resolved, That in levying such duties two principles should be carefully observed:

1. That all materials used in the arts and manufactures, and the necessities of life not produced in this country, shall come in free; and that all articles of luxury should be taxed as high as possible up to the collection point.

2. That in imposing customs duties, the law must be carefully adjusted to promote American enterprises and industries, not derate monopolies, and to cherish and foster American labor.

Faithful industry is the basis on which the whole fabric of civilization rests. Under our system, toilers and producers, the mass of the people, are the governing power. Being the true democracy they demand the fullest consideration of measures for their education, their advancement, and their protection.

Labor and capital are allies, not enemies. No contention can arise between them if each has done its duty to the other. Under existing law, state and national, all such controversies can only be settled by brute force, capital starving labor and labor despoiling capital, the contention ending in the crippling or ruining of both; but capital is strong, labor is weak. Therefore labor has a right to demand of the government to establish tribunals in which these great controversies which may lead to revolution, may be judicially and justly determined, with the fullest power to enforce their decrees.

To provide by law that laboring men may combine and organize for their own protection, as capital may be incorporated and combined for its protection, and that all devices, either by contracts or terrorism or otherwise, to obstruct and set aside this right in laboring men are oppressive, and in derogation of the rights of an American freeman, and should be made venal by law.

All the great woes upon our country have come because of imported labor. Our fathers made this land the home of the free, where all men, appreciating our institutions, with energy enough to bring themselves here, and such we welcome. But our country ought never to be a lazaret house for the deportation of pauper labor of other countries through governmental aid; of importation of the same kind of labor as an instrument with which capital can debase American workmen and women from the proud position they now occupy by competing with them by imported or convict labor, while at the same time capital asks and receives protection of its interests at the hands of the government under guise of providing for American labor. This evil, like all others that find birth in the cupidity and selfishness of men, labor demands should be redressed by law. Labor has a right to demand a just share of the profits of its own production. The future of our country unites with the laboring men in the demand for the liberal support by the United States of the school system of education of all the children, the same affording a sufficient foundation for the coming generation to acquire due knowledge of their duties as citizens.

That every species of monopoly engenders two classes—the very rich and the very poor—both of which are equally hurtful to a republic which should give to its people equal rights and equal privileges under the law.

Resolved, That the public lands of the United States were the equal heritage of all its citizens, and should have been held open to the use of all in such quantities only as are needed for cultivation and improvement by all. Therefore, we view with alarm the absorption of those lands by corporations and individuals in large areas—some of them more than equal to princely domains—and demand of congress to apply appropriate remedies with a stern hand, so that the lands of the people may be held by the many, and not by the few.

Resolved, That the public lands of the nation are held by the government in trust for those who make their homes in the United States and who mean to become citizens of the republic, and we protest against the purchase and monopolization of these lands by corporations and the alien aristocracy of Europe.

Resolved, That all corporate bodies, created either in the States or Nation, for the purpose of performing public duties are public servants, and to be regulated in all their actions by the same power that created them at its own will, and that it is within the power, and the duty of the creator, to govern its creature by its acts, it shall become neither a monopoly nor a burden upon the people, but be their servant and convenience, which is the true test of its usefulness.

Therefore we call upon Congress to exercise its great constitutional powers for regulating inter-state commerce, to provide that by no contrivance whatever, under forms of law or otherwise that discriminating rates and charges for the transportation of freight and travel be made in favor of the few against the many, or to enhance the rates of transportation between the producer and the consumer.

The various offices of the government belong to the people thereof, and who rightfully demand to exercise and fill the same whenever they are fitted by capacity, integrity and energy; the last two qualifications never to be tested by any scholastic examination. We hold that frequent changes of federal officials are shown to be necessary.

1. To counteract the growing aristocratic tendencies to a caste of life offices.

2. Experience having shown that all investigation is useless while the incumbent and his associates hold their places. Frequent change of officers is necessary to the discovery and punishment of frauds, speculations, defalcations, and embezzlements of the public money.

Resolved, That we adhere to and affirm the doctrine enunciated and established by Jackson—that the government alone has the power to establish and issue money for the people; that the issue of the legal tender note made by the government as a method of borrowing money to carry on the war, in the exercise of a constitutional power, has become the fixed currency of the United States, equal to coined gold and silver; that neither policy nor duty calls for any meddling with it.

## CORRESPONDENCE.

He Must Have Enjoyed It.

NEPHI, July 13, 1884.

Editor Deseret News:

The most pleasing as well as novel sociable of this season, ever enjoyed in the open air in Nephi, was a "lawn fete" given on last Friday evening by our esteemed townsman Alma Kendall, Esq., to several of his friends.

In front of his beautiful residence is a finely ornamented lawn, gracefully and tastefully adorned with shrubbery and shade trees, and on this occasion every tree and shrub was lighted up as if by a magical agent. To one who came suddenly upon these grounds from out the darkness, the effect was certainly metamorphostical. The gay attire of the dancers, mingled with the many dancing lights on the green, reminded the gazer of the dreamy land of the fairies when floating in their ethereal elysium of blissful and happy enjoyments. The music was delightful and well adapted to the entertainment. A bountiful collation was enjoyed by all and much credit is due to our friend Alma for inaugurating this style of amusement in Nephi, as well as for the courtesy and favors shown to his happy guests on the evening mentioned.

Yours truly,  
CAMERA.

OGDEN CITY, Utah,  
July 14, 1884.

Editor Deseret News:

A variety of circumstances have conspired to prevent me writing you for some time past, not the least of which has been severe indisposition. Although I am much better at the present time I am far from being strong. There has been a great deal of sickness in Ogden and vicinity during the last few months, and some of our intimate friends have succumbed to the fell destroyer, and have been borne hence to their silent abodes beneath the "sods of the valley."

### SCARLET FEVER

has been fatally prevalent, from which quite a number of our citizens have suffered, and some of their hearths and homes have been made desolate by the demise of their loved ones who were attacked by the malady. We are not free from the disease at present, neither can we tell when it will take wings and leave us. The sooner it does so the better we shall feel, for

### CHOLERA MORBUS

also has prostrated several parties in this town, and in one or two instances the cases were critical for a time; happily, however, none of the attacks have yet proved fatal.

### THE WORMS

as well as the waters have committed great havoc in some places. They did not appear to be particular on what

kind of crop they commenced their war. Lucern, corn, peas, cabbage, cucumbers and even weeds and grass have been devoured or ruined by the rapacious army; but I am happy to say that many of them have also died, either of gluttony or by some other insects that have killed them.

### BUTTERFLIES AND MOTHS

and many varieties of other insects I think were never more numerous than they are at the present time. Vegetation is covered with them—the air is full of them and they are depositing their eggs before "shuffling off this mortal coil," and terminating their ephemeral existence.

Many of our farmers are agreeably disappointed in their expectations, for notwithstanding the lateness of the season, and that the time was so far advanced before they could put in their seeds, the prospects for heavy yields are very encouraging. It would seem that

### DAME NATURE

has just about so much to accomplish every summer, and no matter whether the season be long or short, she fulfills her task, and the harvest moon shines on the rich rewards of the toils of the husbandman.

The strawberry season of course is now over, but that fruit has been so abundant this year that they were as cheap as they were in former years and have been placed within the reach of everybody. Cherries have yielded well, and now there is a good supply of raspberries. Plums and apples promise well, and the later so far appear sound and unaffected by the grubs.

During the late convention held at Chicago, there was in this town considerable excitement and a great deal of speculation in regard to the nominees for President and Vice-President of the United States. But the choice gives general satisfaction and old politicians are sanguine in their belief that they will be elected on the 4th of March, 1884.

### CLEVELAND AND HENDRICKS

will occupy the chairs of state in the White House at the national capital and will direct the affairs of this great country for the next four years.

WEBER.

### A SIMPLE PROBLEM.

BURDETTE GIVES AN EXPLANATION OF A BIBLICAL PHRASE.

"Young Freethinker" writes to say that "in many instances the words of the Bible are untrue as applied to our own times," and he says: "Take the passage 'Are not two sparrows sold for a farthing?' I say they are not." Oh, well, I agree with Young Freethinker that the passage quoted may not apply to this day and this generation. But that is the fault of this generation: the Bible is all right. It is only we who are all wrong. Two sparrows were sold for a farthing then, and I don't suppose inspiration itself could foresee that, in the year 1884, in the United States of America, a race of human beings would wring from a starving neighbor \$1.75 for a spring chicken no bigger than a robin, or \$2 for a squab three days out of the shell, and would sell a peck of peaches in a two-quart basket, and would make butter out of dead cattle, and when their children asked for bread would give them a preparation of alum, and would catch imported sardines off the coast of Maine, and would sell "bob veal" in the public markets, and would mix split peas in the coffee and sand in the sugar. I suppose it was the intention to burn the old globe up before a generation arose that was capable of doing such things. Of course, you can't make the Bible fit our day, my son. Omnipotence couldn't do that without making a hopeless wreck of the Bible. But you can make our day and generation fit the Bible. Suppose you try that. Commence at the other end of the bridge, and by the time you get Wall Street fitted to the sermon on the mount you will be gratified to see that you have landed the country safely on the old "two sparrows for a farthing" basis.

An agreeable disinfectant for rooms: An Italian journal give this recipe: camphor, 20 parts; hypochlorite of lime, alcohol and water, of each 50 parts; eucalyptus and clove oils, of each 1 part. The ingredients must be mixed slowly in a spacious vessel kept cool. A few drops on a plate will suffice to disinfect a chamber pleasantly.

### CONSUMPTION CURED.

An old physician, retired from practice, having had placed in his hands by an East India missionary the formula of a simple vegetable remedy for the speedy and permanent cure of Consumption, Bronchitis, Catarrh, Asthma and all throat and Lung Affections, also a positive and radical cure for Nervous Debility and all Nervous Complaints, after having tested its wonderful curative powers in thousands of cases, has felt it his duty to make it known to his suffering fellows. Actuated by this motive and a desire to relieve human suffering, I will send free of charge, to all who desire it, this recipe, in German, French or English, with full directions for preparing and using. Sent by mail by addressing with stamp, naming this paper, W. A. Noyes, 149 Power's Block, Rochester, N. Y.

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