

pimps and informers who swarm around the capital of the United States; for God knows there never was a community, I do not care where you find it in the world, where there is so much of heartless, malicious, and impertinent interference with private character and private rights as there is in the District of Columbia. No man's wife is safe in this community and no man is safe in this community if you put the power in the hands of these pimps and informers to cause a lady to march into the grand-jury room and there to testify as to the conduct of her husband. It makes no difference what may be the purity of his character or the elevation of his station, he can not shield himself from blackmailers, who will come with subpoenas in the hands of officers moved by these people for the purpose of dragging their wives to the grand-jury room to testify about their family affairs.

Sir, I protest that there is no occasion for such radical legislation as this on this bill. It ought to be modified. The amendment offered by the Senator from Missouri is an amendment which is exactly in place. It admits the competency of the wife to testify against her husband for the purpose of proving the fact which the Senator from Arkansas says is so important to be proved, the first marriage; whether it took place in secret or openly makes no difference. His amendment makes her a competent witness for that purpose, and there her competency ceases.

Mr. Call. Mr. President, the first section of this bill provides that the lawful husband or wife "may be compelled to testify" in "any prosecution for bigamy, polygamy, or unlawful cohabitation," in "any proceeding and examination."

The Senator from Arkansas [Mr. Garland] has insisted that there was but one relation known to the common law, and that is the relation of a single wife or husband. While that is true, it is also true that under no system of law that has ever existed has it been permissible to compel the wife or person standing in that relation to testify in regard to acts of conjugal infidelity. To introduce such a rule is to violate the essential principles on which the relation is founded: and it is no answer to this proposition to say that by the common law the institution of marriage to a single person was the only recognized rule. Imagine, sir, the discord in families when you place in the absolute power of every individual in a community the right to summon the members of that household, the father and the mother to testify against each other in regard to those things that are absolutely disgraceful and destructive of the reputation and character of the family.

Why, sir, to what extent are we going in this insane idea that by law we can create the opinions of the people, that by law we can create morality, that we can disregard the principles of the Christian religion which has made the marriage relation, the relation of one man to one woman, the only recognized order of social and civilized life, that we here invite and place in the hands of all that is vile, of every improper motive, of the scandal-monger, the right to introduce the members of that sacred relation to testify of facts which are absolutely destructive of that relation and scandalous to their offspring. Why, sir, the tribunals of your courts, the record of your divorce cases, will be increased beyond number when you increase this means of discord, this new means of divorce into the family relation.

But, Mr. President, it is not true that this relation of man and wife, the monogamic relation, a single wife, has been at all times regarded even in modern times as the standard of civil temporal law in Christian countries. Why, sir, I read in a quotation which I will make here from Bishop on marriage and divorce, that—

Bigamy, according to the canonists, was not what it is now understood by that of fense, but it consisted in marrying two virgins successively, one after the death of the other, or once marrying a widow. 3 Inst. 88. Such were esteemed incapable of holy orders, and by a canon of the council of Lyons (A. D. 1274), Pope Gregory X, were *amini privilegio clericali undati et coarctata fari seculari dicti*. This canon, which was but a provincial one, was, however, adopted and explained in England by 4 Edw. I, st. 3, chapter V, but bigamy, under that statute, was no counter plea to the claim of benefit of clergy, which benefit was not limited to those in holy orders, but extended to all clerks or learned persons.

By 18 Edw. III chapter 2, the plea for bigamy was declared to belong to the Court Christian, and by 1 Edw. VI, chapter 12, section 16, bigamy was declared to be no longer an impediment to the claim of clergy. See *Deaton*, 25; *Dyer*, 201. This was the offense of bigamy both restricted in its meaning and application. Bigamy, or polygamy in the sense in which we understand the term of the present day, had never been the subject of legislation, either ecclesiastical or civil, until 1 Jac. I, chapter XI (A. D. 1604, when for the first time in the history of the world, and in the seventeenth century of the Christian era, it was made a criminal offense. Until then, it was at most the subject of ecclesiastical censure for the soul's health; but, even so, it was the bigamy as defined by the canon and previous statutes. It may be safely said that throughout continental Christendom, where the common law had full weight, the temporal courts claimed no jurisdiction over such a subject. It was unknown as a crime to the common law of England, for though the canon law forms part of the common law of England, no decree of any ecclesiastical council ever had any force in the realm of England *proprie vigore*.

It is therefore true that the establishment of the monogamous relation of marriage as we understand it was not the work of the common law, nor was it the work of legislation at all. It was the work of the Christian church;

it was the work of the principles of Christianity. It is the great work of the priests, minister, and teachers, and of the public opinion which it has created. There is no record anywhere of an attempt to create by law the principles of social life which the religion of Christ established as the highest order of civilization until modern times. To-day the statute 6 and 7 Victoria, chapter 85, which enacts the law as interpreted in modern times, provides that—

Nothing herein shall render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband, in any criminal proceedings or in any proceeding instituted in consequence of adultery.

And it may be said to be universally true, with some modifications which are conceded to be in the legislation of the States to-day, that the principle adopted in this amendment of a compulsion on the part of the husband or the wife, at the demand of every member of the community who sees fit to bring a criminal charge, that either shall tell of the acts of infidelity, of the adultery, of the criminal conduct of the one toward the other, is without precedent except in the legislation now proposed. Such a law will be more destructive of the married relation, more conveniently the instrument and means of divorce, more the instrument of malice, jealousy and revenge than any enactment that has ever been made. How easy for any man or woman to prefer a charge of improper relations against any man or woman and to compel the attendance of a wife and mother, and her testimony as to all the circumstances of her domestic life. The proposition is condemned not only by reason and by all the precedents of law but also by every sentiment of propriety.

OUR CHICAGO LETTER.

OUR REGULAR CORRESPONDENT SHOWS UP SHAMS AND PUNCTURES THEM WITH THE SWORD OF TRUTH.

CHICAGO, June 23d, 1884.

Editor Deseret News:

The Republican party has opened the campaign in dead earnest. The noise which characterized the National Convention attends the party into the field of battle. If the old saying that

EMPTY VESSELS MAKE THE GREATEST SOUND.

be true, the hollowness of this party must be something inconceivable to the imagination. Bands and rockets, and fireworks, Roman candles, Chinese lanterns, display and bunting, all these are not sufficient without bringing real artillery, captured in some mythical battlefield into play. In Milwaukee we find salutes of 100 guns, and concerts of locomotive whistles, and ominous bellowings from the foghorns of lake steamers attending the ratification meetings of what used to be called the Republican party. There may be some philosophy in all this pandemonium of sound. The Chinese frighten demons from the path of a dying friend, by making a most unearthly noise, and by emitting dandish yells. Bees are kept in the vicinity of the parent hive by the ringing of bells, clashing of cymbals and rattling of old iron. Perhaps it is on this principle the quasi-republicans are exerting themselves so industriously to produce the greatest known volume of sound, to frighten Democrats and keep recalcitrant Pharisees in the old camp.

The joyful news comes from Milwaukee that Snyder, a prominent German, and what was considered a

SCHURZ KICKER,

has joined the party and delivered himself of a ringing speech. When Snyder is investigated he turns out to be a Mr. Brucker, of Medford, owner of a bank, editor of a newspaper and on the whole a man of undoubted financial stability. Going back a few years we find Mr. Brucker was not always editing and banking. We find him selling beer and preaching the wildest kind of Communism. Karl Marks, or Blanqui, or Mezzioff, in their palmiest days, could not approach Brucker in socialism and its kindred subjects. He would grind up monopolists, land grants, railroad legislators, etc., and give every man a good, honest living. He grew fat on this doctrine. His wallet waxed heavy. And very shrewdly he turned over to become a Blaine ratificator, and turned his communistic money into banking, and his talents to lauding the quasi-republican party. He made a ringing speech. All hirelings make ringing speeches. He is influential; so are all renegades. Their oratory is convincing when a column of armed police are guarding the rostrum. Yes, Brucker made a speech in German, and he called his countryman, Carl Schurz, a political tramp, and he said Blaine would make Bismarck eat American hog, and he said the spoils and office hordes were the best companions for the working men of America. From this faction protection could be obtained. He grew eloquent as he proceeded and some of his old communistic fire returned as he contrasted the work performed by the Senate and the Representatives this session. The House of Commons did nothing, absolutely nothing, would not even give a little money from a plethoric treasury to a poor, hungry, famishing crowd of office-holders, who can't contribute a

cent to campaign funds. As to living, the astute Brucker said that grocers and butchers would trust, but it was cash we wanted for political purposes. This the niggardly Democratic House withholds. Office-holders and camp-followers assemble and crush this vile house. He continues, and contrasts the action of the Senate. Look at what the noble Lords have done. They have passed bills in abundance. Their paternal solicitude extends even over the

MOUNTAIN FASTNESSES OF UTAH.

There they found a fly on a barn-door and wisely resolved to crush it. Flies are dangerous, they walk on the ceilings, they perform the most supernatural antics, and they have been known to take mountains and place them on other mountains, like the Gods of old Greece. In a word these grave, and reverend, and dignified fathers, have discovered all the baneful effects, present and prospective, of this terrible fly, and they have wisely resolved that

THIS FLY MUST GO.

Or else jeopardize the integrity of the Union. Yes, my friends, adds the philanthropic Brucker this great and venerable body of Patricians have solemnly and earnestly passed a Mormon Bill. You all know what that means. That is the highest type of morality. You all know what Mormonism means. Why, these Mormons actually support their aged and infirm and bury them with rites and ceremonies. What a vile economy this is. Kill all the aged and skin their corpses, and support the young, that is the right philosophy. But Mormons do worse than this burying their poor kins-folk decently. When a woman gets old and has no longer youthful charms, these vile Mormons insist on maintaining her on terms of equality with the younger women of the community. This it will be seen is subversive of all established and accepted usages of higher civilizations. We propose to

KILL ALL THE OLD WOMEN.

get divorces from all the ugly ones and any of us who are licentious can go to Boston and engage in a business which is legitimate, and which is supported by the dons of Beacon Hill. This business is the traffic of female, human female charms. This will be no hardship at all to any right-thinking person, if we deprive him of his wives in Utah, we give him a better chance in Boston. In Boston he need not work, nor trouble himself about the weather or the floods, he has only to rent a house and stock it with puritan Priscillas, then enter a church and become a Deacon, and rank as the projector of a home for friendless maidens. The Yankee poet Lowell says:

"Keep up appearances, there lies the test
The world will give the credit for the rest."

The bard who condensed all New England philosophy spiritual, physical and political, into this complete was worthy of a foreign mission, and when he supplemented this by saying that vice became virtue when well concealed, who can blame him for wearing knee-breeches, side-whiskers, a shovel hat, and a white neck-tie. The most serious charge against these

DIABOLIC MORMONS.

is the fact, and it is attested by unimpeachable witnesses, that these same Mormons never expose an infant babe on a doorstep. This will never do. We must have founding asylums at least in New England, or that old stock of the Hoar's and Edmund's will die out.

This is a fair sample of Blaine ratification oratory. Mr. Brucker is one of some dozen Teutons who are posing as Blaine admirers, and each of whom like Brucker has a record. In reading the speeches of the "native American" orators at Milwaukee, the intelligent foreigner will be taxed to the utmost of his discerning faculties to tell whether the speeches are a vindication of Blaine, an exhortation of Curtis, Hoar and Edmunds, or a plea for lack of party principles. Occasionally a gentleman like Gen. Fairchild significantly asks

WHAT A DEMOCRATIC VICTORY WOULD MEAN.

It would mean, he says, the dismissal of 20,000 good office holders from the civil service. It would mean the taking away of all our fat places. It would mean the benefit of our Utah legislation going to democrats. Just fancy church trustees and commissioners being appointed by Payne of Ohio or Bayard of Delaware. Just fancy us deprived of making a good haul out of these Mormon vagabonds, who pick money off the fences in Utah. The thought is horrible. We who saved the Union, we who liberated 4,000,000 blacks, we who maintain 10,000,000 monkeys in cages free from care, we who protect working men, we who build and equip railroads with water, and the sweat of honest farmers and godless Chinamen. Are we who do all this not to have the chance of enriching our families, clothing our wives and daughters in silks and linens, with spoils grabbed from the lazy and thriftless Mormons? Just fancy what hideous malignancy must reside in the bosoms of those 15 Senators, every one a Democrat, who voted against our bill, and would go further, they would assert that those

MORMONS HAVE SOULS.

that those Mormons toil and spin; that those Mormons are fashioned after the image of ordinary humanity. This w

can't stand. Of course we don't want to hurt the Mormons, provided he delivers peaceably and gives us control of his treasury and lets us manage the affairs of his kitchen. We, the great Republican party

NEVER ROBBED EXCEPT UNDER COVER OF THE LAW.

We are the party of law, and let us pray for Senator Edmunds, who is sick, and Senator Hoar who is in a lunatic asylum, and Mr. Curtis who is lurching on a Confederate flag picked up by the New Orleans commission.

In Chicago the "Republicans" have girded themselves for the fray. Mr. Storrs has succeeded in coming to the front. The fact is,

ORATORY IS AT A LOW EBB

in the party, and Storrs is better than nothing. There was a time when that class known as the Scotch-Irish used to orate, but their day is gone. They are supplanted by the Nigger-Irish. The Douglass of the past is not the Douglass of to-day. Lynch, of judiciary fame is not the Lynch of to-day. And that Count O'Hara, who fought a hundred duels and broke a hundred maiden hearts in the pages of song and romance, is not the O'Hara of to-day. If Blaine's name wasn't Gillespie, and if Logan did not swear so much, and use such licentiousness in his grammar, they say these men would pass for Scotch-Irish. At all events, we have liberated 4,000,000 of æsthetic Africans, and we have crushed the Scotch-Irish intellect. This is hard on Chester Arthur, Joe Medill, Emory Storrs and Parson Goodwin. But Nature's law must be obeyed. Intellect, like gold, does not exist everywhere, and if it has run to the Negro-Irishman, the Scotch-Irishman must not kick.

By a judicious use of

A SCORE OF CAPPERS

Mr. Storrs has taken his place in the party. A capper is a person hired to do some kind of dummy work. A kind of decoy duck among humanity. At a public meeting he sits away down the hall, and at some convenient moment calls "Storrs," "Storrs," the cry is taken up by other cappers, and Storrs must come. It is believed then the public wants Storrs, and as he is still good as a reformed Communist he is accorded a place on the platform. Prominent preachers employ this method of climbing into public favor. The procedure is raised a little. Away back in 1876, when Joe Cook was working himself into notoriety, it was found that after his lecture a few persons always professed a change of heart. Soon it became known that Cook could reach the heart, but it was through the pocket. In financial circles the capper is an institution. The latest instance of this came out in the transactions of Ward and Fish, where Grant and the Caseys and Dents, were the cappers. Gamblers also use cappers.

In his last oration Mr. Storrs never alluded to the shoemaker of political economy. In fact it may be said that he has taken a new departure. He has actually quoted from Edmund Burke to prop the

EXPEDIENT POLICY OF THE OFFICE HOLDING FACTION.

It is supposed that Preacher Newman has written to Mr. Storrs on the Crispin topic. Mr. Newman being in early days a shoemaker, took it as a personal allusion to be parading the prosperous American shoemaker as compared with his brother of England. Mr. Storrs says: "to the republican party we owe every good thing we have at the present time. When I first came west from New York; I know I was born in New York, and I know I had ancestors, but the family records were mislaid, and I have a distinct recollection of even seeing some of the immediate ones. When I came west I had some 'stump-tail' currency. I was beating my way in a stock-car, when a brakeman spied me. When he found I had nothing but stump-tail he kicked me out of the car, and told me to go east again and change my 'stump-tail.' The republicans have changed this. I now ride in a Pullman and the conductor takes my greenbacks and I ride unmolested, and have my boots blacked and my coat dusted all for a quarter, and why should I not be a republican? That's the way all us republican boys travel. Look at the democrats. They are shoeless, unshaved and dusty. They drink fusel oil and get jim-jams and go to the County House. We drink good Kentucky Bourbon and go to the Washington House and get straightened out, and nobody knows it. Of course I am a republican, and was always one since I got kicked for having 'stump-tail,' and by the powers I mean to be a republican as long as the party keeps in office. However, I must say that at present I am independent in politics, but my choice at present is the Republican, I may be in the future something else. Our candidate Blaine is a man of policy. He means to bring England to time. He is now planning a subterranean tunnel to get some dynamite right under the centre of Yorkshire. He is also planning the location of an island or harbor away up in the clouds and held there by balloons anchored in France and in Greenland. Then if ever England says a word against a Murphy or a Gillespie, he springs his subterranean mine, and of course England goes up into the clouds, and lest any English scoundrel should escape, the stores and arsenals and barracks of his aerial harbor are opened, and everything English is utterly destroyed. Julius Verne has given his hearty

co-operation to this plan. With Blaine's foreign policy we will fix Europe. What he contemplates for Bismarck I can't divulge. But I have been spoken a pair of shoes from Bismarck's hide, or skin, or pelt, or whatever it is that covers the Teuton.

AS TO LOGAN,

slander cannot touch him. He is a soldier and an emancipated Democrat. The first gun at Fort Sumpter took all the democracy out of him, except his honesty—his native honesty. He has that still. He uses profane language, and is careless about his synonymous terms, but we must attribute that to the Democrats. They had no hymn-books or grammars, or in fact, no religion or morality. Logan is a great man, and he owes his greatness to the treason of McClellan and Fitz-John Porter. If Mac may run and crush the rebellion there would be no field left for Grant and Logan, Hooker and Pope, Burnside and Sigel. Yes, Mac could do it in a week, though it took Grant, with such generals as Sheridan fully three years, with two million of men to do it. Yes Mac could do it in a week with a few Connecticut Yankees, who practised go-as-you-please at Bull-run. Mac is a traitor. He ought to go and get killed and let the rebels come up to Washington. Fitz-John Porter is also a traitor. When we want men to go up in Blaine's balloon or down into the tunnel, we don't want Fitz Porter. We want men who can see a hole in a ladder. Yes Logan is our man.

We are going to

PROTECT THE LABORER.

The laborer first must do like us republican boys, get shares in rail-roads, hang juries, and get ourselves in a position to employ Chinamen and Hungarians, and then we will protect them provided they help themselves. There is my friend James Blaine who, thirty years ago, was a poor tutor in a blind asylum, now the owner of two millions. Did he not protect the poor man then? Look at us all, thirty years ago, we were all poor shoemakers, tanners, carpenters, tailors, now what are we? Why, I dined with English Lords myself, though I beat my way in a stock car thirty years ago. Stop Chinamen and Hungarians, yes of course we will. We don't want them now. All agents contracting for labor in Europe we will have prosecuted as Mormon missionaries. We have instructed Bismarck and other potentates to expel every labor agent in their territories. We have the Mormons now to pluck. The Romanists have grown too strong. Any time an Irish Romanist was an uncomfortable seat to sit on. John Morrissey held my putative father and 51 others over a hot stove, and they never tried know-nothingism after that. The Mormons are patient. They will make

GOOD PLUCKING,

and we can make heaps of capital politically and morally out of them. Already we have driven 15 Democratic Senators to vote for justice to them. That is good. We have awakened the churches to polygamy, and we are the party of order and virtue. I could say a good deal more about why I vote the Republican ticket, but the time is long yet till November." This is Mr. Storrs, the orator, in his best mood.

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