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WORK OF THE LORD IN OLD MEXICO.

HOW A SCURRILOUS ANTI-"MORMON" LETTER OPENED THE WAY FOR THE ELDERS—TRIP ON THE OLD CANAL—PECULIAR GARDENS—GOOD PROSPECTS AT TUYNHUALCO—GREAT NEED OF THE BOOK OF MORMON IN SPANISH.

CITY OF MEXICO,
December 15, 1885.

Editor Deseret News:

Several months ago a "reverend gentleman" of the Baptist persuasion who claims the euphonious name of Publo Rodriguez, published a scurrilous article against the "Mormons," in the Baptist organ of this city, attaching his signature to the collection of falsehood, evidently with the intention of giving them weight. He set forth that the "Mormons" were a wicked and dangerous people, and that a number of their missionaries were busily engaged in promulgating their pernicious doctrines here in Mexico, and insinuating themselves into the good graces of the unwary. These Elders would commence by teaching the principles of the Gospel according the Scriptures, but, after gaining the confidence of the people, would seduce the wives and daughters of those who admitted them into their houses.

He also stated that Brigham Young was the greatest thief and robber the world had ever produced, and indulged to the fullest extent in many such extravagant denunciations of the "Mormons" and their "corrupt" doctrines.

In strong terms he warned the people against us, and particularly the inhabitants of a thrifty Indian town named Tuynhualco, situated on the shore of Lake Chalo. In this town there is quite a large Protestant congregation and the people appear to entertain more liberal views than are generally found among the masses, a vast majority of whom are devout Catholics and extremely fanatical in their opposition to other creeds. He said our missionaries had visited that town and were deceiving many of the people and he charged them not to admit us into their houses or listen to what we had to say. In short, it was

A TYPICAL ANTI-"MORMON" ARTICLE,

such as are often seen in religious journals of the day, composed of old falsehoods—repeated nobody knows how many times—and intermingled with a few of the authors own inventions by way of variety.

A short time after the article appeared the unscrupulous scribbler was met by Elder Helaman Pratt, who took occasion to thank him for the free advertising he had given us.

"Ah, then you have seen my article, have you?" said he, considerably confused, "what do you think of it?" "I have but one fault to find with it," was the reply, "and that is it hasn't a word of truth in it."

Some discussion followed in which the minister declared that what he had written was true, that he had abundant proofs against the "Mormons," and intended to write a series of articles against them. Elder Pratt told him to publish his proofs, and not false assertions; and called his attention to the Scripture which condemned "whoso loveth and maketh a lie." He also assured the man of piety that, although none of our missionaries had ever visited Tuynhualco, they would do so in the near future; that we proposed to take advantage of the religious liberty and protection, guaranteed to the "Mormons" as well as other sects by the Constitution, and visit and introduce the doctrines of Christ into every city and town of the Republic as fast as time and circumstances would permit.

Shortly after this conversation two of the Elders, accompanied by a native brother who is somewhat acquainted there, spent a Sunday in Tuynhualco. It also happened that the presiding Methodist minister, in making his usual rounds, was there the same day, and, with a degree of liberty which was quite refreshing, invited the brethren, who attended his meeting, to address the congregation.

This opportunity was cheerfully embraced, and after the services they also distributed a number of tracts and pamphlets.

None of our missionaries have been there since until a few weeks ago, when, at the suggestion of our President, Elder J. J. Stewart and I accompanied by the same native Elder who went with the other brethren, spent a Sunday there with a view to

FOLLOW UP THE OPENING

that had been made.

This town is situated about twenty miles from here, and in order to reach it we had to walk about five miles to the little village of Ixtacalco, and from there take a boat on the broad canal which joins Lake Chalco with Lake Tezcoco.

In leaving the city we followed the path beside the canal, which is parallel with, and but a short distance from the southern causeway, which was built by the Aztecs many centuries ago, and connected the City of Mexico, which was then in the midst of a wide but shallow lake, with the main land on the south.

This is one of the three causeways along which the conquering Spaniards dragged the first artillery that ever sounded in the astonished ears of the natives, and made their glorious, though desperately contested entrance to the Aztec capital. But the waters of Lake Tezcoco which then washed the banks of these causeways, as well as the low artificial island on which the City of Mexico stood, have long since receded many miles, reducing the broad bosom of the lake to the insignificant limits that now confine it; and the wide canal at our side is all that can now be seen in this vicinity of the expanse, which carried on its surface the fleet of Cortez that did such destructive service during the celebrated

SIEGE OF MEXICO.

The beautiful floating gardens, which were the wonder and admiration of the conquerers, however, have a very useful substitute which greatly resembles them. On both sides of this canal the soil has been blocked out with triangular gardens, varying in width from 15 feet to 30 feet and from 50 feet to 200 feet in length. Surrounding these canals from 6 feet to 12 feet wide have been dug and the soil from them been used to raise the gardens; and when this is not sufficient earth is brought from elsewhere to make the garden's higher.

These canals are always full of water and the careful cultivator of the soil may often be seen passing with ease among them in a small canoe. The gardens are generally well tilled, crops of some kind perpetually developing in them, as there are no frosts here to interfere with the growth of vegetation. From June to November no irrigation is necessary, but during the dry season the farmers may often be seen standing in their canoes and throwing water upon their land out of the canal, with a light implement made of a strong wooden hoop, over which is stretched a piece of canvass, and the whole attached to a long wooden handle.

The wet season which has just ended has lasted nearly a month later than usual, and witnessed some of the heaviest and most

DESTRUCTIVE RAINSTORMS

that have occurred here for twenty years. Many of these gardens have been entirely submerged and the crops destroyed, and it almost seemed like Lake Tezcoco had determined to spread her bosom again over the vast area that she once occupied, and make the city of Mexico an island once more. But the "time for the restoration of all things" has evidently not yet arrived, so the limits of the lake remain as before.

But to return to my narrative. We reached the place of embarkation late in the evening, and secured a passage. Boats on this canal vary in size from the little canoe, scarcely large enough to hold a full grown man, to the craft on which we rode, which was a flat-bottomed vessel, made of 3-inch planks, and about 7 feet wide by 50 long. At intervals heavy iron rods bent like wagon bows were fastened to the sides of the boat. On these were tied long, slender poles, running lengthwise of the boat, and on them were placed several thicknesses of rush mats, thus forming a low roof to the boat. The boats are not drawn by mules, but shoved forward by men with long poles pushing against the bottom of the canal.

Into this low dark, poorly ventilated apartment we crowded, with 20 or 30 native Indians as fellow passengers, and made ourselves as comfortable as circumstances would permit. Fleas, bed-bugs and mosquitoes together with solid planks for a bed, rendered sleep next to impossible; and add to the unpleasantness of our situation, the crew that propelled our boat got into a difficulty with the crew of another boat that started out at the same time, both claiming the right to go ahead, and neither willing to yield to the demands of the other. The boats were so equally manned that neither could get ahead of the other, although every muscle was strained to do so, and at length they commenced crowding each other against the sides of the canal, thus hoping to gain some advantage.

The wrath and excitement of the men became so intense that threats of shooting were freely indulged in, and our captain rushed into the end of the boat where we had taken up our quarters, and in an excited manner seized some guns and cartridges which lay under a blanket at our feet and disappeared. We also heard the captain of the other boat call for arms, and the uncomfortable feeling that

A NAVAL ENGAGEMENT

was immement, and nothing between me and where the bullets were most likely to fly but a rush mat, began to take possession of me. The passengers on both boats also became much alarmed and begged their respective captains to desist and allow the other boat to go ahead, and not to shed blood over such a trifling matter.

At length the excitement abated and we were allowed to take the lead. During the rest of the night we continued our journey without any incident worthy of mention, and reaching our destination just before daylight in the morning.

We wandered about the streets of the town until the people began to get up, when we called at the house of a man with whom our companion was acquainted. We were kindly received, and after breakfast, accompanied our host to the Protestant meeting. After their services were over we succeeded in getting the use of the chapel in which they were held, and most of the congregation remained to hear what we had to say. Brother Stewart, who speaks Spanish quite well, addressed the meeting upon the first principles of the Gospel, and answered a number of questions which had been asked. An excellent spirit prevailed and so much interest was created that a number of the congregation followed us to the house where we were stopping, listened the rest of the day to the explanations of the Gospel, and at seven o'clock in the evening followed us down to the lake, where we again entered the boat to return.

The town has been visited twice since with very satisfactory results. During our last visit (which was yesterday)

A LENGTHY DISCUSSION

occurred between Brother Pratt and the resident ministers, resulting in the latter's defeat; though he made a manly effort to sustain the tenets of his faith.

After the debate was over his flock gathered around him, and they held a long consultation in an undertone. Not being able to hear what was said, we could only surmise that, having failed by fair means to show that we were wrong he was seeking by foul means to create a prejudice against us. It seems, however, that we did him an injustice in our conjectures, for just before leaving last evening, one of his flock, who is quite interested in the principles which we teach, told us that the minister acknowledged to them that he had not the authority to baptize, and officiate in the ordinances of the Gospel. He further told them that if they were satisfied with our authority, it was their duty to go forward and be baptized by us, as that ordinance was clearly essential to salvation. He spoke in such a way as to include himself in his remarks, and just how far our labors in that town will be blessed we cannot tell.

This illustrates how opposition to the truth serves only to fan it into a flame that sheds its light into recesses that otherwise might not be penetrated for years. Had it not been for that scurrilous article in the Baptist paper, our attention might not have been directed to Tuynhualco for an indefinite time.

THE MISSION

is in a very prosperous condition, and we have good prospects ahead. It is very difficult, however, for the Utah missionaries to make new openings, as the conditions, mode of life, and religious ideas of the people are so different from ours that it is almost impossible for us to work our way into their good will sufficient to present our message, without the assistance of our native brethren, who almost invariably pioneer the way and make the openings, which we follow up.

When the people, who are mostly pure-blooded Indians, learn of the Book of Mormon, and that we claim it to be the sacred history of their forefathers, they generally manifest quite an interest in it, and express a desire to see it. In fact, on my second visit to the village of which I have been writing, I spent the whole time of our meeting, at their request, in giving an account of the coming forth of the Book of Mormon, a synopsis of its contents, and an explanation of the Bible prophecies concerning it, all of which seemed to interest them deeply. In fact, most of those who are in the Church here, as well as a number who have not yet been baptized, are waiting anxiously to see that book printed in their own language; and we cannot but feel that our missionaries' labors would be much more effective if we had the assistance of that record, which was written, preserved, and brought forth for the purpose of bringing this race to a knowledge of the truth and of their forefathers.

We were all quite disappointed a few weeks ago on learning by a private letter that work on the Spanish edition of the Book of Mormon had ceased for an indefinite period. If our informaut be correct, we certainly hope that the period will not be a protracted one, as we are greatly in need of its assistance.

Your fellow laborer in the cause of truth,
HORACE CUMMINGS.

THE NEW EDMUNDS BILL.

SPEECH OF SENATOR VEST.

NO PARALLEL TO SUCH LEGISLATION.

In the United States Senate January 7th, Mr. Vest made the following remarks on the subject of the Government trustees for the "Mormon" Church corporation:

Mr. Vest—I move to strike out all of section 16 after the word "law" in line 5. This section as it reads now is:

SEC. 16. That it shall be the duty of the Attorney-General of the United states to cause such proceedings to be taken in the Supreme Court of the Territory of Utah as shall be proper to dissolve the said corporation and pay the debts and to dispose of the property and assets thereof according to law.

The remainder, which I propose to strike out, is in these words:

Said property and assets, in excess of the debts and the amount of any lawful claims established by the court against the same, shall escheat to the United states, and shall be taken, invested, and disposed of by the Secretary of the Interior, under the direction of the President of the United States, for the benefit of common schools in said Territory.

I have no disposition to continue the discussion of the bill. It seems to me, as a lawyer, that when the Senate enacts that this property shall be disposed of according to law, that accomplishes all that can be demanded of the most extreme and inveterate enemy of polygamy or of any other institution in this Territory. That leaves the question to the courts, and I cannot, as a lawyer, give my assent to this extraordinary legislation which takes the property of any corporation that has a legal existence and disposes of it, and takes the money and puts it into the Treasury of the United States and applies it to any purpose that Congress may designate.

If there is any parallel to this legislation on the statute-books of the United States I am utterly ignorant of it, and I should be obliged to any lawyer who would point me to anything like it.

A great deal has been said here about the common law of England. The ancient rule in England was that when a corporation ceased to exist its real estate escheated to the Crown and its personal property, after paying off the debts, went back to the donors. But that is not the law in the United States, as I understand it. The Senator from Vermont, I take it, will hardly say that that obtains in any of the States of the Union or in any of the Territories of the Union.

If this property is disposed of according to law by the courts, that is sufficient. But you go further than that in this legislation, and after paying the debts of the corporation the balance of the money is arbitrarily seized by Congress and perverted to an object never contemplated by the original purpose of the corporation itself.

One question in the case is, Has this corporation a legal existence? It was incorporated under the laws of the Territory of Utah there being a provision in the enabling act which that said all legislation of the Territory should remain valid until disapproved by Congress. This act has stood without any disapproval by Congress, and these people have acquired certain rights under it.

Mr. Conger. Allow me to say that I think in regard to Utah the Senator is mistaken. That provision, that the Territorial laws should not have force in certain Territories until approved by Congress, was in several acts, and within a very short time, a few years, the restriction has been removed from some of the other Territories and left in regard to Utah, the others making it the duty of Congress to disapprove by a positive act and this requiring an approval. If I am not mistaken that is the condition of the law in regard to Utah.

Mr. Vest. Mr. President—

Mr. Edmunds. If the Senator will pardon me, I think I can state to the Senator from Michigan what the law about Utah is. According to the organic act, as I read it, the laws of the Territorial Assembly in Utah are valid until disapproved by Congress, and we propose in the fifteenth section to annul and disapprove of the Territorial law creating this emigrating corporation.

Mr. Vest. I believe I stated it correctly. I have the book before me, but I have lost the place.

Mr. Edmunds. That is the law.

Mr. Vest. Then this corporation has had a legal existence. The Senator from Vermont states that there are no stockholders. What may be the meaning exactly of a stockholder I do not know, but this corporation was established for the church and the church is the sole stockholder. The language of the act of incorporation shows that. It is exactly on a par with the creation of this sort of commission on the part of the denominations in the United States. The Methodist Episcopal Church meets and creates certain commissions to take charge of certain property which is put into the hands of agents; they manage it, but the real owner is the church. In this act of incorporation to which no assent of Congress was necessary, this Church of Jesus Christ of Latter-day Saints in Utah were recognized, and they appointed certain commissioners to take charge of the property, manage it, pay the taxes and control it for the benefit of the church.

Until disapproved by Congress that is as valid a corporation as any in the United States. If that is not a vested right, I know not how a vested right can be created. If we provide that whatever remains after paying the debts shall be distributed according to law, we do simple justice. On the other hand, if we adopt the latter part of the section, I undertake to say it is anomalous, without a parallel, in violation of the jurisprudence of this country. How a lawyer can look upon it with anything else than distrust, is beyond my comprehension.

Mr. Edmunds. If my friend from Missouri were correct in his estimate of the nature of this section, I should be inclined to agree with him; but I think he has not studied it with his usual care. First, I may say I think he is mistaken about the act incorporating this emigrant company, as it is called, but the statute-book is gone out, and I cannot refer to it at this moment; but I am pretty sure in what I say, that the Church is not a stockholder, nor is anybody else; it is an entirely independent concern. It is true that the First Presidency of the Church, the one-man despot there, controls this corporation.

Now, coming to the precise point of striking out this last clause, if you stop where the Senator wishes to stop, "dispose of the property and assets thereof according to law," then you will have given back, it is true, to the donor the real estate if he turns out to be entitled to it, and also the United States the personal estate of it turns out to be entitled to it, after payment of debts, and there you will have stopped, and whatever there is to which private persons are not entitled, or corporations or anybody else are not entitled, shall go into the treasury of the United States, into the general fund. The Committee on the Judiciary did not wish it to go into the United States treasury. They wished to devote it to the promotion of education in that Territory. So we say that—

Said property and assets—

That is what the Senator wishes to strike out—

in excess of the debts and the amount of any lawful claims established by the court against the same, shall escheat to the United States.

And be devoted to the use of schools in that Territory. The last part of the section is essential to dispose of any residue, after all claims of every kind are disposed of, of this property that may be left. Striking this out, it goes into the Treasury. Leaving this in, it goes for the use of common schools in that Territory.

The President *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. Vest].

Mr. Vest. I want to settle one question. I have before me the act of incorporation. Some two hundred sections under which it is now operating, in the compiled laws of Utah. This act says:

Be it ordained by the General Assembly of the State of Deseret—

Approved by the Territorial Legislature afterwards—

That a general conference of the Church of Jesus Christ of Latter-day Saints, or a special conference of said church, to be called at such time and place as the first presidency of said church shall appoint, is hereby authorized to elect, by a majority, a company of not less than thirteen men, one of whom shall be designated as their president, and the others as assistants.

SEC. 2. This company is hereby made and constituted a body corporate, under the name and style of "The Perpetual Emigrating Fund Company," and shall have perpetual succession, and may have and use a common seal which they may alter at pleasure."

Then it goes on with general provisions of a corporation that they shall defend and be defended, plead and be impleaded, hold property, and so forth. This is as lawful a corporation now as exists on the soil of the United States, and Senators need not disguise from themselves the simple fact that we are asked now to take possession of a corporation which was organized for a legal purpose so far as appears, which the Congress of the United States has permitted to exist, under which rights of property have been acquired; we are asked to take possession of that corporation and administer upon its effects and take what is left out of the possession of these parties, and say that the courts shall have nothing to do with it, but put it into the Treasury of the United States or give it to the common schools or anything else.

Mr. President, as a lawyer I will never agree to any proposition upon this or any other subject which says that the courts of this country shall not determine the rights of corporations or individuals.

Mr. Edmunds. That is precisely what this part that the Senator wishes to strike out says, that the court is to establish the rights of the claimants and if there is anything left it is to be devoted to schools.

Mr. Vest. Let me read the first part of the sixteenth section of the bill. It says:

That it shall be the duty of the Attorney-General of the United States to cause such proceedings to be taken in the supreme court of the Territory of Utah as shall be proper to dissolve the said corporation mentioned in the preceding section and pay the debts and to dispose of the property and assets thereof according to law.

There is a proceeding by due process of law in the courts of the country, which is the only mode, in my judgment, known to the Constitution of the United States or to our jurisprudence by which property rights can be settled. But this provision goes further than that. That would seem to be enough for a lawyer, but it goes further and says:

Said property and assets, in excess of the debts and the amount of any lawful claims established by the court against the same, shall escheat to the United States.

There it is taken out of the courts. There Congress steps in arbitrarily and after saying that the court shall determine according to law that matter, says that the surplus after paying the debts shall go into the Treasury.

Mr. Hoar. May I ask the Senator a question? What does he understand would become of it if his proposition prevailed?

Mr. Vest. That is a question which the law will determine. If the Senator wants my opinion as a lawyer I can give it to him. My judgment is that it would not go to the Treasury of the United States.

Mr. Hoar. The question is not where it would not go, but where would it go? The Senator will pardon me; I understand that this section remits to the courts just as he says it ought to be remitted, the question of every claim whatever against that property, the right of the creditor, the right of the donor, the right of the sovereign; but if the court finds after all claims against it are established that there is property in the corporation which would be left derelict after the disposition of it under the law as provided to anybody who has a legal claim to it, then that is to be put into the treasury of the United States, and by a sort of rude doctrine of *cy pres* used for common schools and not for the general public purposes of the country.

Mr. Vest. I do not understand how the doctrine of *cy pres* applies to it. I do not understand that any trust has been created here for common schools by anybody. The doctrine of *cy pres* simply steps in and furnishes a trustee where the first objects of the trust have failed. There is no such trust certainly for common schools. It is nothing else but an arbitrary seizure of the property of this corporation, taking it out of the courts and disposing of it as Congress sees proper; and if it can be done in this case it can be done as to any Baptist, Methodist or Presbyterian church in any of the Territories if a majority of Congress thinks it ought to be done.

Mr. Hoar. The Senator does not answer my question, if he will permit me to interrupt him. I do not want to interrupt him impoperly.

Mr. Vest. Certainly; I yield to the Senator.

Mr. Hoar. Suppose it were a Baptist church, or a Methodist, or a Unitarian church, to which last denomination I have the honor to belong, and it were within the jurisdiction of the legislation of Congress relative to the Territories. The corporation is dissolved and its property is taken possession of by the court by a receiver or other judicial officer, by a proper process, and the court having established every possible lawful claim, if there were no other legislation on the subject if there were anything left, that would have to remain in the treasury of the court forever, and when Congress found it out they would then come in and do something with it.

Here is a fund which belongs to nobody as far as the court knows. We should undoubtedly do something with it, and instead of waiting for that occasion to arise this simply provides for it in advance, and says that when every possible lawful claim against that fund is established by the court and satisfied, if there is anything which otherwise would be left derelict or left in the treasury of the court to abide there forever, we provide now what shall be done with it; that is all.

Mr. Vest. Mr. President, it is remarkable legislation—I confess I know of no parallel to it—where Congress assumes a certain state of facts in advance of the finding of a court. The Senator from Massachusetts says "assuming that nobody owns this property." That is a question of law. That is a question which every American citizen and corporation has a right to have determined by the law of the land.

Mr. Hoar. The bill says the court shall decide, in the first part, according to law.

Mr. Vest. The bill says in the first part according to law, and then goes on and takes the court by the throat and says, "You shall do so and so." In other words, it declares an escheat when an escheat may not exist according to the facts. It says in advance of the facts that it shall escheat. The doctrine of escheats is a well settled one. I understand that the sovereignty of a country is entitled in certain contingencies to take possession of property, and not before; but they must be declared, they must exist, they must be judicially determined; and whenever Congress steps in and declares in advance that property shall escheat, it is not due process of law; it is not the law of the land as I understand it.

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TAX SALE.

WHEREAS, THE TERRITORIAL School and County Taxes assessed against Hans Hoganson, for the year 1885, amounting to Six Dollars, ($6.00) remain unpaid.

Therefore, I, Nathaniel V. Jones, Collector for Salt Lake County, Utah Territory, by virtue of the authority vested in me by the provisions of An Act of the Legislative Assembly of the Territory of Utah, entitled "An Act to provide Revenue for the Territory of Utah and the several counties thereof," approved February 22 1878, and of the amendments thereto, have levied upon the following named property, to-wit:

Eighty-eight (88) Acres of Land, in the Southwest Quarter (S. W. ¼) of Section Twenty-one, (21) Township Two, (2) South Range One, (1) West of Salt Lake Meridian, and will sell the same or so much thereof as may be necessary to pay the Taxes and Costs, at public auction, at the front door of the County Court House, Salt Lake City, on the 12th day of February, 1886, at 12 o'clock M.

NATHANIEL V. JONES,
Collector for