

DESERTER

TRUTH AND LIBERTY.

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CHICAGO TRADE.

WALKER, OAKLEY & CO.,
MANUFACTURERS OF
LEATHER.

KEITH BROTHERS,
Manufacturers and Jobbers of
KITS, CAPS, FURS & MEN'S FURNISHING GOODS.
246, 248, 250 and 252, Madison Street,
CHICAGO.

IN ARTICLE OF WORLD-WIDE RENOWN



Once used always desired in the future.

TRY IT.
N. K. FAIRBANK & Co.,
CHICAGO.

For Sale by E. C. M. I. and its Branch
Stores and Dealers Generally.

STAR HORSE NAILS!

POLISHED OR BLUED
Will hold a shoe on the toughest horse
under the most severe strain.
Made from the Best Norway
Iron, Finished Already
to drive, by the
UNION HORSE NAIL COMPANY,
CHICAGO.

For Sale by E. C. M. I. and its
Branch Stores.

JOHN C. NEEMES & CO.,
MANUFACTURING

CONFECTIONERS

20, 22, 24, 26 MICHIGAN AVENUE,
CHICAGO.

Our Goods are kept by E. C. M. I. in Branch
Stores and Dealers Generally in the Territory.

ESTABLISHED 1850.

Palmer, Fuller & Co.,

Wholesale Manufacturers of

Sash, Doors & Blinds,

MOULDING,
Mouldings, French, Colonial, Italian,
Rustic, Ballustrade, Newell's, etc.,
CHICAGO, ILL.

Our Goods are constantly kept in Stock in
the largest lumber yards in Salt Lake City
and Ogden, from which and Moulding
work is done upon application.

HAZARD POWDER!

Manufactured on a complete stock of this
powder and is fully equipped for
GUNPOWDER
BLASTING, KENTUCKY RIFLE,
FALL LITH, DOCK,
BURNING, etc.,
For Sale by E. C. M. I. and all the
Branch Stores in the Territory, and by
M. H. CLAWSON, Agent.

O.I.C.

UTAH'S FAVORITE.

WILLIAMS' LIGHTING COLE.

DOCTORS' THERMO

POOR MAN'S FRIEND.

For Sale by all Dealers throughout the Ter-

W. E. WILLIAMS, Prop'r.

Corner First and Main Streets, Ogden.

J. I. CASE PLOW CO.

RACINE, WIS.

Greeting to the People of

Utah:

For the last three years

our STEEL PLOWS, CHIL-

LED PLOWS, SULKY

PLOWS and HARROWS,

have been thoroughly test-

ed in your country, and we

are proud of the flattering

commendations of them

that have come from you

and it has always been our

aim, and will be in the fu-

ture, to make nothing but

what is FIRST-CLASS, and

that we will thoroughly

guarantee. We heartily ap-

preciate your trade and so-

licit its continuance. You

will find a full line of our

PLOWS with our General

Agent, J. W. LOWELL,

ROYAL



BAKING
POWDER

Absolutely Pure.

This powder never varies. A safeguard

against the adulteration of the market.

It is sold in every part of the world.

Sold only in the U.S. by ROYAL BAKING POWDER

CO., 106 Wall Street, New York.

NEW YORK TRADE.

BATES, REED & COOLEY,

IMPORTERS AND JOBBERS OF

Silk and Fancy Dry Goods

Including a full and complete line of

Prints, Ginghams, and Domestic,

303, 305, 307 Broadway, N. Y. and 127 and 129

St. N. Y. N. Y.

DUNHAM, BUCKLEY & CO.,

IMPORTERS AND JOBBERS OF

DRY GOODS,

NOTIONS,

WHITE GOODS, Etc.

No. 340 Broadway, NEW YORK

J. H. BRADLEY, dly

TEFT, WELLS & Co.,

Importers and Jobbers of

DRY GOODS,

NOTIONS,

WHITE GOODS, Etc.

No. 377 Broadway, NEW YORK.

Represented by

E. C. M. I. and its Branch

Stores and Dealers Generally.

E. W. MERRIAM & CO.,

MANUFACTURERS OF AND DEALERS IN

LOOKING GLASSES

OF EVERY DESCRIPTION.

No. 577 Broadway, NEW YORK.

For Sale by E. C. M. I.

HEMPHILL, HAMLIN & CO.

CARPETING,

FLOOR OILS, BRUGGETS, MATS, ETC.

242 & 244 Broadway,

NEW YORK.

For Sale by E. C. M. I. and its Branch

Stores and Dealers Generally.

CLARK BROTHERS.

Wholesale and Retail Dealers in

HAT WAREHOUSE.

622 & 624 Broadway,

and 125 & 128 CROSBY ST.,

NEW YORK.

A. W. FABER'S

SIXTEENTH ARTISTS' MATERIALS.

MAY BE HAD AT

Z. C. M. I.,

Gold Pens and Pencils Cases, Pen-

UTAH CONTESTED ELECTION CASE.

(Continued.)

But, Mr. Speaker, I invite the at-

tention of the House to another view

of the legal aspects of the case un-

der consideration. It must be con-

ceded that if this House has lost the

original, inherent and unlimited

power under the Constitution to at-

tach whatever conditions it deemed

expedient to the admission of a De-

legate from this Territory of Utah,

it lost it by reason of the enactment

of the provisions of the act of 1850

organizing that Territory. It will

be observed that section 14 of that

act, after providing the manner of

the election of a Delegate, declares

"the person having the greatest

number of votes shall be declared by

the Governor to be duly elected, and

a certificate thereof to be given ac-

cordingly." And there it stops.

Whether thus by omitting to pro-

vide, as provided by the general act

of 1850, that every such Delegate

shall have a seat in the House of

Representatives, with the right to

debate but not to vote, Congress

intended, even at that early day, in

anticipation of the unprecedented

anomalies of the political and social

condition likely to arise in this Ter-

ritory, to preserve to the House,

in the duty of the House of Dele-

gates, as in this case, presented him-

self at the bar for admission, the

unimpaired authority to receive or

reject him, as its constitutional

right to govern the Territory as to

its admission as a State might

seem to require, is a question

worthy, perhaps, of consideration.

But again, in considering the act

of 1850 according to the rules of

construction, section 14 must in

any event be construed, as was in-

stantly by the gentleman from Ten-

nessee, as qualified by the subse-

quent section 18, declaring—

"That the Constitution and laws of the

United States are hereby extended over

and declared to be in force in said Territory

as if the same were in the same or as if

thereof may be applicable.

And the report of the minority

inquires, "Now, why is the provision

of the Constitution relating to the

qualification of members not ap-

plicable to the Territory?" And so it

may be so far as it goes. And the

Justice Curtis in the Dred Scott Case.

case says that the Territory may not

be regarded as settled law.

If, then, this case does not contain

any principle respecting the Territory, what are

the limits of that power?

To this I answer, that in common

with all the other legislative powers

of Congress, it finds limits in the ex-

pression prohibition of Congress not to

do certain things; cannot pass an

act "contrary to the principles of

justice. Besides this, the rules and

regulations must be needed." But

undoubtedly, the question whether

a particular rule or regulation is

needed must be finally determined

by Congress itself. It is better law

is a legislative or political

question, and a judicial question.

Whether Congress deems itself

is so under the grant of power

is a question of fact. I cannot doubt that this is

a power to govern the inhabitants of

the Territory by such laws as Con-

gress deems proper, and that the

admission as a State, Chancellor

Keen says:

With respect to the vast Territories be-

longing to the United States, Congress has

exercised its power in many ways.

Exclusive and unlimited power

of legislation is given to Congress by the

Constitution, and the general govern-

ment of the Territories is in the hands

of Congress. The Constitution makes

no distinction between the Territories

and the States, and the Territories

are to be governed by the same

laws as the States. The Constitution

makes no distinction between the

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tion makes no distinction between

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by the same laws as the States.

open abuse of their hospitality and

high-handed defiance of their

laws, and in the presence

of the people, and their final flight

beyond the limits of the Territory,

that abhorred and spewed them out

under the leadership of Brigham

Young, to the shores of the Salt

Lake, and the fertile plains and

pasture lands of that charming

valley.

And here, where, in the words of

the old familiar hymn,

"Where'er you roam, wherever you go,

And fondly fancying themselves

free, they have been ever since

they set up the standard of the

property, and their right to

govern themselves, and their

free and independent "State of

Deseret," and planted themselves

on the manifest of Sidney Hedges,

their great orator at Far West,

Missouri, in 1833.

"We this day proclaim ourselves

free, with a purpose and determina-

tion never to be broken—no, never!

no, never! no, never!" And with

the aid of their arms, and their

have kept their word. Up to this

hour, and for more than thirty

years, against the indignant protest

of the United States, against the

laws they have set at naught, in the

teeth of a great nation that has van-

quished every other foreign and

domestic foe, this monstrous and

disgraceful rebellion, against the

law of their own land, and now

in all three years of Territorial

tuage has Congress done to make such

"needful rules and regulations?"

And here, where, in the words of

the old familiar hymn,

"Where'er you roam, wherever you go,

And fondly fancying themselves

free, they have been ever since

they set up the standard of the

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