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CHARLES W. PENROSE, EDITOR

THE DEBATE ON THE ED-MUNDS BILL.

THE debate in the Senate of United States over the Edmunds bill, on the 15th and 16th inst., was of great interest and took a very wide range. The power of Congress over the Territories was discussed at rength and able speeches were delivered on either side. If space permitted, we should be pleased to publish the proceedings in full, but falling this we insert to day the speeches of Senators Call and Vest which we commend to the consideration of all who take interest in the questions of constitutional government and constitutional liberty.

There was little dispute over the bill till it reached the ninth section, when an animated debate took place. Senator Call said:

"It seems to me that this measure is one which ought not to be adopted by the Senate. It is an act which virtually declares that the President may give the whole political power of elections in the Territory of Utah to five persons nominated by himself and confirmed by the Senate.
It seems to me that if there is anything in the institutions of this country and in the idea of self-government, that is a proposition which destroys the whole of it. It is simply a proposition to give to five persons nominated by the President and confirmed by the Senate, absolute power not only of deciding who is capable of voting, but of deciding who is eligible to election.

That all the registration and election offices of every description in the Territory are hereby declared vacant, and each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvasting and returning of the same, and the issuing of cerlicates or other evidence of election in said Territory, shall, until other provision be made by the Legislative Assembly of said Territory as is hereinafter by this section provided, be performed under the existing laws of the United States and of said Territory by proper persons, who shall be appointed to execute such offices and perform such duties by a board of five persons, to be appointed by the President, by and with the consent of the Senate, all of whom shall not be members of one political party, and a majority of whom shall be a quorum.

The canvass and return of all the votes at elections in said Territory for members of the Legislative Assembly thereof shall also be returned to said board, which shall canvass all such returns and issue certificates of election to those persons who, being eligible for such election, shall appear to have been lawfully elected, which certificates shall be the only evidence of the right of such persons to sit in such assembly.

diciary will report a bill by which it In the Dred Scott case, which I shall be declared that five persons mentioned to evoke no partisan feel-United States shall have obsolute authority to interpret the election laws of the Territory of Utah and the laws of the United States, to declare what votes are valid and what are not, to declare who is eliwhat are not, to declare who is eligible, exclusive of any judicial construction upon the subject, to hold office in that Territory, to issue certificates which shall alone be the evidence of eligibility to office," we shall have the proposition in its naked and proper form. For myself, sir, I can never vote for a provision which contains a power of this discretion in defiance of the popular will, based entirely upon five persons selected by the executive power of the country. I think you can find better means of stamping out polygamy than one which stamps out the institutions of the country, the rights contained in the Constitution, the distinction between judicial, legislative, and executive powers, and which by a plain enactment here gives to five persons nominated by the Senate, all of confir ned by the Fresident and confir ned by the Senate, all of whom except one may be of one political party, absolute power notonly of deciding who shall be voters, but also of deciding what votes are cast and who shall be eligible to office. I with the

am opposed, for one, to the section.
Senator Vest said: When the seventh section of this bill was read my attention was not attracted, or else I should have have called the attention of the Senate at that time to its phraseology and stated my obection to its enactment. The seventh and eight sections of this bill simply provide for an anomaly in the juris-prudence of the United States and establish a doctrine that, in my judgement, strikes down the fundamental principle of American liber-ty. If there is one single clause in our Constitution or bill of rights dear to the American heart, it is that no citizen shall be deprived of life, liberty, or property without the judgment of his peers or of a competent tribunal. The idea that any petent tribunal. The idea thas and citizen can have taken from him a right conferred by law, without the judgment of a competent tribunal ries, their persons, and their property, as it did over citizens of the States. every principle of personal liberty and constitutional right. It is the very essence of good government and of freedom and of constitutional right that every man should be tried

The Senater from Delaware is pleased to ay that this case is analogous to that of a Territory apply ing for admission into the Union when Congress has the right under terms and form of government un-der the Constitution. But, sir, there is no analogy. The people of Utah to-day are voters; the people of Utah to-day are office-holders; they have had this right from the organiza-

der the Constitution. But, sir, there is no analogy. The people of Utah to-day are voters; the people of Utah to-day are voters; the people of Utah to-day are office-holders; they have had this right from the organization of the Territory.

Mr. Bayard. By act of Congress.

Mr. Vest. By act of Congress under the Constitution; and under the Constitution; and under the Constitution I say that no man can be deprived of the right to vote or to hold office except after conviction. I announce that proposition to-day. I announce that proposition to-day. If Utah were here applying for admission into the Union then we could say unto her, "Accept certain conditions;" and if they were within the limitations of the Constitution those conditions of course must be accepted or rejected. But here these rights have been conferred; they are already given; and we propose by a commission outside of the law, outside of the Constitution, to give its members power to say abgive its members power to say absolutely who shall be elected, what shall be the returns, to canvass the returns, and to declare who shall be the voters and who shall be elected. Such power inside of American legislation was never known before.

But, Mr. Fresident, I my as a
lawyer that the principle of taking
away the right of sulfrage or the
right to hold office before conviction
of crime is unknown in the legislaof crime is unknown in the legislaof of this country or in its luris.

Over the qualifications of voters in
the States because the Constitution
the States because the Constitution tion of this country or in its jurisprudence. In a case in 3 Cowen
this doctrine was announced by the
Supreme Court of New, York, ay,
air, by no tyre in our profession, by
no embryo lawyer, but by a man
who granded the bench and the friwho granded the bench and the frimal over which he presided, by Mr. Edmunds. I say most un-allower which he presided, by Mr. Edmunds. I say most un-after which the size was undertook to stamp out has every time a Stale constitution, aling, and provided that any men more or less, according to the Judg-

I call the attention of the Senate to the fact that this bill inflicts a punishment for crime on any man punishment for crime on any man guilty of polygamy, or any person cohabiting with more than one woman, etc., by providing that he shall be deprived of the right to vote and the right to hold office. A subsequent section provides that five gentlemen constituting a commission shall determine that question. I say that this bill comes within the meaning of this decision. within the meaning of this decision, for it is the infliction of a punishment

As a right flowing from the Constitution, it cannot be taken away by any law declaring that classes of men or even a single person not convicted of a public offense, shall be ineligible to public stations; but as a right not expressly secured by the Constitution, it may be taken from convicted criminals when the Logishiture in their plenary power over crimes, deem such a deprivation a necessary equipment. To say this, is 10 say in subcrimes, deem such a deprivation a necessary mutahment. To say this, is to say in substance that the right in question may be forested by crimes when the Legislature so directs. If this right is taken from none but maiefactors, in punishment for offences declared by law and ascertained in due course of justice, the sense of the whole Constitution is maintained, and the public, it may be presumed, will not find their choice of agents much abridged by the exclusions from office, which their own legislators, courts and juries may thus add to those specified in the Constitution. (Barker vs. The People, 3 Cower, 707.)

I taink there can be but one answer to that argument and to that decision, and I know of no decision in the jurisprudence of the United States which has eyer declared, un-der any constitution, State or national, that the right of suffrage or the right to hold office, after being conferred, can be taken away before conviction. But if there be any answer in the whole range of proba-bility or conjecture, it must be that the Territories are outside of the Constitution of the United States. I do not mean to say that the Senator from Delaware so declared, but he went very far toward declaring that the Territories could be governed absolutely by Congress as it pleas-ed. Mr. President, it is an arbitrary and despotic and unconstitutional declaration. The Territories of the

that the Constitution of the national Government and the citizen walked into the Territories side by side under the Constitution of our common country. This idea that the Territories are absolute creatures to be governed by Congress as they please, without reference to the Constitution or law or right is, in my judge-Now, if the Senator from Ver-ment, abhorrent to every principle mont or the Committee on the Ju- of American freedom.

shall be declared that five persons mentioned to evoke no partisan feel-appointed by the President of the ing—death has sealed already the voices and the passions that sur-rounded this decision when made, but the character of the great lawyers who participated in it will live forever—Chief-Justice Taney said in regard to the power of Congress over

Letters of gold; letters which declare the essence of the Constitution and the rights of every American

With their respective rights defined and marked out, and the Federal Government can exercise no power over his person or property beyond what that instrument confers, nor lawfully deny any right which it has reserved. Dred Scott vs. Santford, 19 floward,

Mr. Edmunds. May I ask the enator a question? Mr. Vest. Certainly.
Mr. Edmunds Do I under tand the

senator to maintain that a majority of the judges of the Supreme Court on that occasion held that it was not within the competence of Congress to abolish slavery in the Territory or Kansas or wherever that question

Mr. Vest. I hold that a majority of the Supreme Court in this decision held to the doctrine which is announced here by Chief Justice I aney, that the Constitution of the United States extended over the

Mr. Vest. Well, Mr. President, I hardly think they did; but that is not this question; it has nothing to do with this argument, as I am making it. I would like to ask the Senator from Vermont if he believes
Senator from Vermont if he believes
that a citizen of a State in this
Union can have the right of suffrage
or the right to hold office taken away

plain that Congress has no power over the qualifications of voters in the States because the Constitution the States because that, so far as the United States have anything to do

Who should fight a duel should be deprived of the right to vote or hold office. The case was taken to the highest tribunal in the State and adjudicated. I wish I had time to read it all, for every word of it is applicable to the case now before the Senate. I will simply read as much of it as constitutes the syllatus:

But while many rights are consecrated as universal and invisible, the right of eligibility to office is not so secured. It is not one of the capress rules of the Constitution, and is not declared as a right or monitoosed in terms as a principle in any part of the instrument.

Mr. Vest. When they fix that by a constitution or a legal enactment it applies to future offens and not to those that have already been committed. The proposition I put is that this bill takes away from the people of Utah a right already con-ferred as a punishment for past offenses, and this without conviction. affirm that what the Senator from fermont has said here is directly in contravention to the decision of the Supreme Court of New York and, Supreme Court of New York and, so far as I know, of the unbroken current of judicial anthority in this country. Here is the plain unvarnished provision that these people shall be deprived of the right of suffrage and the right of holding office before any trial. No trial at all is provided. The provision in the seventh section is:

That no polygamist. Rigamist, or any porson cohabiting with more than one woman, and no woman cohabiting with any of the porsons described as a pressid in this section, in any Territory or other place over which the United States have exclusive jurisdiction, shall be entitled to vote at any election held in any such Territory or other place, or be cligible for election or appointment to or be entitled to hold any office or place of public trust, honor, or emolument in, under, or for any such Territory or place, or under the United States.

Who is to adjudge that? Who is to say whether they have been to say whether they have been guilty or not? In the next section it is provided, and without saying who shall pass upon the rights of voters at the polls, that the returns of all elections shall be passed upon by five gentlemen appointed by the President, not a court, not a judicial tribunal, but a quasi judicial tribunal, but a quasi judicial tribunal with full and unlimited power, without the right of appeal. Much as I detest polygamy, much as I believe if to be utterly subversive of all pure society and good morals, I shall never vote for a provision which, in never vote for a provision which, in my judgment, subverts the highest and dearest rights of every American citizen.

Three several attempts were made to adjourn during the progress of the debate but were negatived on the call of the yeas and nays. On the fourth motion an adjournment was had on agreement that the bill United States are peopled by citizens of the United States, and I say to-day that the highest judicial duclaration, in my judgment, ever made by the Supreme Court of the United States was made by the late Chief Justice Taney, when he declared that the Constitution of the national

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AMERICAN. LATEST DISPATCHES.

8500,000 Failure.

MEMPHIS 27.—The wholesale dry goods house of Menken Bros., has just made an assignment. Liabilities estimated at half a million dolare, assets said to be nominally about the same figure. The failure is on account of the stringency of the money market. A Dranken Butcher.

ETNA, Pa., 27 .- William Beecher and a man whose name is unknown got into a quarrel, when Geo. Wolff, an intolxcated German standing by interfered. The parties took no notice of Wo ff, whereupon he drew a knile and stabbed Beecher to the heart.

East St. Louis, 27.—The Town Hall is burned with a library valued at \$12,000.

Fympathetic Saints. DENNIS PART, Mass., 27.—The Massachusetts district conference of the Latter-day Saints adopted the

Whereas, There is at the present time a general agitation throughout the country concerning polygamy as taught and practised in the Territory by the so-called Mormon Church in Utah, and

Whereas, We, as a people, having the name of Latter-day Saints, are intensely interested in having this agitation continued, for we believe the public will be enlightened as they should be, and properly dis-criminate between us, Church of Christ of Latter-day Saints proper, and that resudo arostate and law-defying institution in Utah; there-

Be it Resolved, That the Reor-ganized Church of Christ of Latter-day Saints, in district conference assembled, representing the Church of the States of Massachusetts, Rhode Island and Connecticut, do hereby vote that we are in sympathy with the present movement to extinguish polygamy from the land, and hore the general government will not cease its efforts till this shall be accomplished.

FOREIGN.

Suffering Refugees

CETTINJE, 26 .- Several thousand efugees from Herzegovina are de-Mr. Edmunds. Very good; but I layed in consequence of the severe ask the Senator only to have the weather have penetrated the cordon and convicted before punishment. The seventh section of this bill takes away from a citizen of the United States the right to vote or hold office before conviction by his peers of any ion are being employed for their

LONDON, 26.—It is understoom that the cabinet charged that shou

Sr. Peressure, 26.—Lt. Danen haur has been forbidden to start fo St. Petersburg until the weather gets warmer. The remainder of the survivors of the Jeannette will start without him.

Another Skirmish. VIENNA, 26,-The Austrian

The Quarterly Conference of the Sanpete Stake of Zion was held at Mount Pleasant on the 18th and 19th 22, 1882, SARAH, wife of Thomas Williams days of February, 1882.

How in Boss, Walse, May 6, 1812. Leaves a husbind and sir children, the youngest seven

After the usual opening exercise the report of the Pleasant Valle tanch was read, said Branch has Hranch was read, said Branch having been organized December 22nd 1691, and consisting of 61 members with Elder David Williams president; Morgan Evans First Counsellor and Robert Gillespie Become

Elder David Williams gave a report of the Pleasant Valley branch. Said the Saints comvosing the branch were thankful for their orbranch were thankful for their organization into a branch, were desirous to assist in the general labors
of the Saints in establishing the
kingdom of God on the earth.

Bishop Dottus, of Ephraim South
Ward; Allred, of Chester; Reese, of
Wales; Bartholomew, of Fayette,
Reid, of Manti North Ward; Jensen,
of Manti South Ward, each gave a of Manti South Ward, each gave a report of his Ward and en the Saints to faithfulness.

Adjourned to 7 p.m. Singing. Benediction.

After singing and prayer, Prest. Maiben said it is our duty to foster every institution for the advancment of the young; we will not vancment of the young; we will not always have our seniors to watch over us, hence the necessity of availing ourselves of every opportunity afforded for our instruction.

Elders J. F. Allred, Anderson and Reynolds, of the Young Men's I. A., mad's very encouraging remarks to the young.

Joseph and Onusrp, Indians, expressed their gratitude at meeting

pressed their gratitude at meeting with the Saints in Conference.

Adjourned to 10 a.m. on Sunday.

Bunday, 8.30 a.m. A conjoint meeting of Sabbath Schools of Mount Pleasant was held

After singing and prayer,
Elder Edward Cliff, assistant su
periatendent of Sabbath Schools,
read the superintendent's report of
Sabbath Schools for the Stake, and made a few remarks upon the Sab-bath School interest.

Prest. Malben read the financial report of the Manti Temple; said that great pains were taken to keep a correct account of all means re-ceived, and of its disbursement; commended the Saints for their liberality in donating for the build-ing of the Temple; said that 140 loads of lumber had been received this winter, and he met a great many more loads on his way up to Conference; kindly asked the Bishops to continue their exertions with the people in connection with the lumber, until the remainder was delivered.

Elder C. H. Wheelock addressed the Saints, related some early incldents in the history of the Church and in the lives of some of the members thereof, exhorted the Saints to faithfulness, said that in traveling in company with Eider George Farnworth, in the interest of the Temple, he had never urged the Saints to donate except as the good spirit should inspire them, related a promise made by the Prophet Joseph in regard to the baptismal fonts for the benefit of those who had not faith to be healed by the ordinance of the laying on of hands that God of the laying on of hands, that God would send His angel to sanctify the waters, that in them they might be baptized for their health and through that ordinance be restored.
Adjourned to 1:30 p.m.

1:30 p. m. After singing and prayer, sacra-nent was administered. President Maihen presented the general and Stake authorities of the

Church, all of whom were unanimously sustained. Elder David Candland made a slort address and bore testimony to the divinity of the latter day work.

Elder James A. Allred referred to
the feeling of timidity that seems to take possession of the Elders on arising to address a congregation of

Saints, believed it impossible for any man to lead the Saints astray. Bishop Seeley referred to the ex-perience of the Saints, and the reatment they received from their nemies when engaged in building Temples, said the enemics of the Saluts say to them you shall not keep the commandments of God, and God says all who do not keep his commandments shall be damne

self in this matter.

President Maiben said he felt to acknowledge the goodness of God manifest to the Saints through this Conference in the outpouring of His Holy Spirit. Hoped the home mis-sionaries would continue to magnify their calling, meet with the Saints when opportunity shall offer, and not wait to be commanded in all

Conference adjourned to meet at Manti on the 20th and 21st of May

Patriarch James Works pronounce ed the benediction. GEORGE TAYLOR, Clerk.

International.-Mr. Dwyer has just received an extra lot of the February number of the International Review. It contains the article written by McBride, on "Utah and Mormonism." Price fifty

COWCUMBER.—It happened on a railroad train in Nova Scotia, which was going—well, it wasn't exactly a lightning express. The engineer whistled "down brakes." "What's the trouble, conductor," excitedly asked a passenger.

"Cow on the track," coolly re afterwards, down brakes was again "What's the trouble now?" crie-

"Cow on the track," was the re

DIED. In the 15th Ward of this city, February at Pal; of a thme, JOHN P. DAVIS. Bo June 21, 181 t, at Swamers, South Wales. F fied in full fall buf the Gospel i. Fuseral sorvic a in the 15th Ward m

house at 11 a.m. to-morrow

In Panguitch, Iron Chanty, U. T., February 8th, 182, MARY ANN LEE, wife of the

SALT, LAKE THEATRE. MONDAY, Feb. 27 COMPLIMENTARY BENEFIT

MR. CEORGE C. STALEY By the leading professional and local talent of the city, when will be produced, regardess of expense, the popular drama, in six acts entitled, THE STREETS OF NEW YORK Sixth Infantry Orchestral Band

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Mr. H. M. Wells,

Mr. H. Taylor,

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NOTICE.

Z. C. M. I., SALT LAKE CITY, Utah, Feb. 25, 1882. THE STOCK TRANSPER BOOKS OF

1 this Institution will be CLOSED on March 1st, and RE-OPENED on April 6th, next. T. G. WEBBER.

Sec'y and Treas.

ESTRAY NOTICE. HAVE IN MY POSSESSION: One yellow HORSE, nine or ten years old

If not claimed on or before the 3d of March 18:2. will be sold at my corral, at 10 a.m. F. PRINCE, New Harmony, Feb. 20, 1832.

ESTRAY NOTICE HAVE IN MY POSSESSION:

One 3 year old black filey.

1 1000 2 year old brown filey, hipped.

One 3 year old brown filey.

If the above animals are not claimed within 10 days, they will be sold by auction in the estray pound in this city, at 20 o'clock a.m., March 5, 1882. RICHARD PALMER. Codar C.ty, Ison Co., Feb. 23, 1882.

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be the only trea ment which will erad REV. CHAS. H. TAYLOB, 140 Noble St., Brook

yr, N. Y.: "One package effected a radio REV. GRO. A. REIS, Cobl. skill, Sel

M.Y.: It restored me to mg ministerial labors." REV. W. H. SUMNER, Frederick, Md.: " Etc. resu to in six cases in my family." HEV. GRO. E. PRATT, St. Stephen's Rec 'hila: " Cutte wonderful; let me distribu

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of Great heavens," cried the man, was M. E. Shenny, 3023 Sarah St., St. Lo. "The first natural breath in 6 years."

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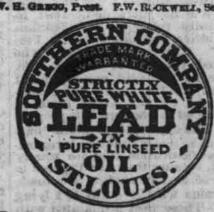
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