

## EVENING NEWS

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CHARLES W. PENROSE, EDITOR.

Friday, June 27, 1884.

### CLOSE OF THE DEBATE ON THE UTAH BILL.

**CONSIDERATION** of the Utah bill was submitted by the Senate, as in Committee of the Whole, on Wednesday, June 17th. The question being on the amendment offered by Mr. Vest to add to Section One:

**Proposed.** That in no case of marriage between husband and wife be a co-equal witness except as to the fact of a lawful marriage, or the contract of marriage; and that the party defendant.

Mr. Garland made a lengthy speech against the amendment, in which he took the ground that there were no lawful marriages in the "Mormon" Church, because they were all polygamous, and polygamous marriages are void. A marriage in Christendom, he contended, was "a contract between one man and one woman for life to the exclusion of all others"; and this was not the theory of marriage, according to the religion and ritual of the "Mormon" Church. In support of his proposition he cited the decision of the English court in the case of Hyde vs. Hyde, and Woodward. In which the court refused to grant a divorce on the ground that a "Mormon" marriage was not a legal marriage. He also said that "very often the priest himself does not see the parties, and ministers the ceremony or service, or whatever you call it from a cellar or screen or something of that sort."

Mr. Garland's information is as faulty as his logic. He supports the section making the testimony of the lawful wife permissible and incomparable on the ground that she is a lawful wife, and to sustain his proposition that there are no lawful wives by the "Mormon" ceremony, cites an element of conspiracy that has no existence except in a lying book that Mr. Garland referred to as the "history of the ceremony." His argument had no effect on the Senate, and his long speech was wasted in the consideration of the bill.

Mr. Lapham—the author of the ridiculous "Alta Monte" bill—indicted upon the Senate's tirade of anti-Mormon abuse, including the old stuff about "Joe Smith," "Mormon bible," "Mountain Meadow Massacre," "fungus growth," etc., but did not touch the point in debate, except to claim that if the first and lawful wife consents to a second, and polygamous marriage, she ought to be compelled to testify. And if it be against her will and consent she ought to be permitted to do so, which was neither according to the bill nor the amendment. Mr. Morgan followed with a perfunctory speech which we give in full in another column, also the speech of Mr. Call, which was equally to the point and established the fact that the monogamous relation of marriage was not originated by the common law, or legislation, but by the so-called "Christian" church. Mr. Bayard made one of the strongest speeches of the debate. While opposing polygamy and supporting monogamy, he was against those features of the bill which provide for the compulsory examination of a lawful wife or lawful husband, and for the appointment by the President of the United States of trustees for the "Mormon" Church. We have not space to-day for his speech in full, but it will be published verbatim in another issue of this paper, as will Mr. Van Wyck's speech on an amendment which he offered in relation to the Utah Commission. Mr. Neet's amendment was rejected by the Senate 28, absent 25.

Mr. Mayes then moved to strike out the first section, and offered but few reasons for his proposition, but it was rejected. Whereupon Mr. Vest offered the following amendment:

**Provided.** That no person shall be held in custody under any attachment issued for his debts, or for his debts, for more than ten days, and the person attached may at any time accuse his or her attorney from whom he or she received the judicial securities conditioned for the appearance of such person of giving payment or discharge of his debts, or of preventing or restraining him from giving payment or discharge of his debts, or for the attachment may be issued.

The bill was then reported to the Senate, when renewed efforts were made to amend it, but failed. So the bill passed over to the House, where it was referred to the Committee on the Judiciary, and the committee recommended that it be rejected. As were the amendment to the "divorce clause," and the following, each offered by Mr. Brown:

"That it is hereby declared that no person shall be made to suffer disfranchisement for any supposed or imputed offense for which he has not been duly convicted, and his child rights for the guilt of polygamy, bigamy, and other crimes of the like nature or for a felony, and on conviction shall be punished less than that for which he was condemned, except in so far as it is necessary or proper for the protection of the public."

Mr. Brown then offered the following as a new section, which was also rejected:

"That it is hereby declared that no person shall be made to suffer disfranchisement for any supposed or imputed offense for which he has not been duly convicted, and his child rights for the guilt of polygamy, bigamy, and other crimes of the like nature or for a felony, and on conviction shall be punished less than that for which he was condemned, except in so far as it is necessary or proper for the protection of the public."

The bill was then reported to the Senate, when renewed efforts were made to amend it, but failed. So the bill passed over to the House, where it was referred to the Committee on the Judiciary, and the committee recommended that it be rejected.

Mr. Morgan then moved to strike out Section Seven, making women suffrage universal, and the Senate accepted it.

Mr. Neet then moved to add an amendment to the bill, to make it applicable to all states.

Mr. Vest then moved to strike out Section Seven, making women suffrage universal, and the Senate accepted it.

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