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the FINGER.

in the Pacific

Until within thirty years there was not to be found a case nor the sugges-tion that a wife could be examined, either civility or criminally, in an action where her husband was concerned, ex-cept in cases involving her personal safety or the protection of her life. The law of England during the early years of the relien of the present sovereign of that country was largely amended. Two acts, one bearing the mame of Lord Denman, and another, an amend-ment of that act, passed chiedy fuder the influence of Lord Brougham, struck out all reason for incomptency because of the interest of the parties to a suit, allowing them to testify where they were admittedly in interest but subjecting the credibility of their but subjecting the credibility of their but subjecting the credibility of the alled against his own interest, then to called against his own interest, then to a chose cases and under those laws there was an express exception against calling the wife to testify for or against

calling the wife to testify for or against SPANISH FORK, SALEM, PAY-

the husband involuntarily. There were a number of provisions in Lord Denman's set, and there were but one or two exceptions, and one of, I was unable to give my assent to those exceptions was "the husband or wife of such parsons, respectively.¹⁹ The law has ever regarded the interest of bushand and wife as so identical that when the one was incapacitated on the score o interest the other could not give evidence.

and in dealing with a state of facts alarming as they are which we find there to-day and which unitappily have existed there for the last quarter of a centuary as the controling power of a other was necessarily so. I will not one of the Territorie: and threatening power of others I have been very de-strous that the Government of the Brougham introduced his last and

Notion of herein contained shall render any person who in any triminal proceeding is charged with the commission of any in-decidite offense, or any offense punishable on summary conviction, competent or com-peliable to give evidence for or against himself or herself, or shall render any per-son compeliable to answar any question tending to criminate himself or herself, or shall in any criminat proceeding render any function dominate himself or herself, or shall in any criminat proceeding render any function dominate himself or herself, or shall in any criminat proceeding render any function dominate himself or herself, or shall in any criminate himself or herself, or shall in the relation of the hubband. The third below of the hubband

That is the law of England to-day They were far in advance of the Legis lable, to give testimony against her husband; If this be the law in Engand a fortiori it is the law of the United States. It is not a mere statute to be passed and repealed at will, but it is passed in relation to a profound principle and necessity of society. The Constitution of the United States forolds men to be examined and compell to give testimony against themselves. The very meaning, the very best mean-ing, the most profound and important meaning that attaches to the law of marriage is the unity, the absolute identity of the husband and the wife; In the bill. Mr. President, the honorable Sena-tor from Massachusetts (Mr. Hoar) in introducing this bill stated its intention, using the word "we," I suppose meaning by that himself and those who represent the majority of the peo-ple of this country. He said:

We do not mean to have in the heart of our continent a nation grow up under the Constitution of the United States upon the territory belonging to the United States, upon territory over which it is the constitu-tional duty of Congress to exercise axelu-ive logislation until the settlers, there shall ceeding against him of the nature indicated by this bill. Mr. Morgan. And the Constitution recognizes it. Mr. Bayard. It is in the Con-

at give evidence to effect each other, either United States with the contin

not rive endeaver to effect each other, either eiviling or criminally. For to admit such sion and discord, it would be any either with discord accred; and it would be argingerous purposes. To the nature of the relation, to be regarded as accred; and it would be argingerous purposes. To the best to very dangerous purposes into to be found a case wor the suggerous on that could be examined either civility or criminally, in an action of that country was largely annealed to data of the Trinted States, however ment of that cauttry was largely annealed to a suit, allowing them to testify to a suit, allowing the moto testify to a suit, allowing the suited with a substance of the suite suite and the suite of the suite of the suite suite and the suite of th

of this country rests. The Presiding Officer. The question is on the amendment offered to the first is on the amendment offered to the first if [Mr. Vest]. Mr. Vest called for the yeas and nays; Mr. Vest called for the yeas and nays; and fair gris-losses whose suddenness unexpectedness astonish these work pated husbands and fathers-tall, recent

SON AND SANTAQUIN. AS SEEN BY OUR TRAVELING AGENT.

Spanish Fork has improved greatly women of yours are worth having they are in the last three years, but there is worth savi

still room for advancement. The new co-op store is an ornament of some erganic trentate of the to the town and a credit to its people, application of BESSON'S CAPUTNE TO as it would be to places of far greater pretensions. The town was cursed with two sa- that dull, weary back ache, gweghew loons, but they have been closed for scrength to the body and tresh hope in the want of patronage, which speaks a heart. No other plasters will do this of the volume for the good morals of the Benson's Plaster, however, is not made to community.

community. Five schools have been running in never yetbroke its promise-and haver will he district very successfully during in Dour draggist has it. But before phylog the district very successfully during: the fast school term, with an average presd, is a 'for the word CAPCINE and in attendance of five hundred pupils, out the middle.

as it is developed, promising to be a benefit to its owner and to the locality. latures of the United States in remov-ing the disability to give teatimony on the ground of interest; and yet to-day there is not a court of Great Britain in which a man can be compelled to give sion of traffic on the D. & R. G. Rall-testimony against himself, and there is not one where his wife can be compelthe people hope to commence shipping over the road again soon.

Salem, once known as Pondtown, is beginning to look up and put on a more prosperous appearance. Bishop C. D. Evans has set a good example by putting up a neat home. The place PHIL KIPPLE & CU., wants a good meeting house, suitable to the requirements of the population. As in this and adjoining towns a disce-gard for the proper observance of the CARRESS. Sabbath is growing. The pond situ-

and for the same reason that a man can not be compelled to give testimony against himself, his wife, who is him-self, shall not be allowed or compelled to give testimony against him in a pro-it is fed by springs, is three-fourths of a mile long, by forty yards wide, with an average depth of twenty-five feet.

If well stocked it would be capable of



\$400 Widbus a full lot on the Mineteenth USE

Detween Wist and First Wist ris.

\$2000 Tall rots of Land on Vevauth South,

\$3000 A n'en modern style new Brick

\$3000 b.u.e. en tandne 8 rooms, 2 e ners, large entar, cos boue, bsru, etc., to 51 1-2 feet e at from by 10 rolds deep. A good bar-

rdn. Loosed on size rast, bitwee 1 Sec-

\$1000 A Building Los near the D. N.R. HAY-FEVER NOT A LIQUID or A few ap-\$400 & Lot 10x10 rods in 20.h Ward. use. Send for cir \$100 Per Rod 'roat for Land to 10th Ward. ists, EFY BROTHERS, Druggists, Owego (, Y, d4) cod 2 w \$350. A Lot in Shih Ward, 10x10 rods. \$3000 A Pouse of 6 rooms, lot 21 2x10 rods, located in Fith Ward. LEGAL NOTICE. \$2500 will buy a nice Corner Lot. froat-ADMINISTRATOR'S SALE. Seven h Ward. In the Probate Court within and for Sal Lake County and Territory of Utah. \$7500 Will buy Two Houses and a Lot fail rods, sevenih - und. Before the Honorable Elias A. Smith, Judge. \$7250 will buy a Carge House and a Lot 510 rods, 14th ward. This is a bar-In the Matter of the Estate of Richard Bush, Deceased PURSUANT TO AN ORDER OF THE Probate Court within and for said County, made and entered in this matter on the 17th day of May A, D. 1881. I, the under-signed, Administrator of said Estate, will sell for each at private sale the following described Real Estate, situate in Said Lake Farms and Farming Land. Will buy a Five Acre lot near the City Survey, in Salt Lake County and Terri-\$900 A Five Arrs Grass Lot on West ory of Utah, to wit: A part of Lot number number Eighty-Six (86 Four (4), in Block in Plat A of said \$3000 A Heurs of 6 comes and 20 acros of amber Eighty Six (36), in Plat A of said survey, beginning for said part at a point weive and a half (12%) rods North from the \$3000 Land, we native from Temple Hook. If yerty in recenther - burth Wards. Southwest corner of said lot, thence run aing North live (5) rods, thence East five (5 rods, thence South five (5) rods, thence \$5500 A Goot Farm of 47 seres with bo se, 4000 fruit trees and grape Vines. No builter land in Utab. Located in remutington. \$700 For 120 Acres of Land over Jerdan. West five (5) rods to the place of beginning, containing twenty - five (25) square rods of and, with all the rights, privileges and ap-purtenances thereauto belonging or in anywise appertaining. ill tur 40 Acres of Laud, 6 miles \$450 Every person wishing to buy said land north of Sait Lake City. fully requested to propose in writing indersigned at his ource in Salt Lake ing on Second South Street, No.71e. \$1500 will bus 1:0 Acres of Land, good or 1, usern, 5 miles worth of 1 fra-

\$700 will but a Lot (a3) rule, with a 2 ned house and a summer kuch-u

For Rent.

A Brick House of 5 rooms, near D A flow, whi finished House of 8 rooms, in South Temple street, for \$35 00 per month. Two radie and shints on your b fast be tween First and Second S. ut ; \$800 per Two rooms and summer kitchen for the rom half block from Feserot Fack.

Three rouns on Third Scith, 11-2 blooks an of fillt House.

FGO TO MRS. JANES. SMITH Ac. 2) W First south Street, FOR ALL MINDS OF BASKETS. WHY IS THE SALE OF FLORENCE **Ten Times Greater** THAN THAT OF ML IMITATIONS COMBINED?

va offer will be accepted before July 100 first duty that none but republican in-stitutions shall crist, none but repub-lican forms of government shall exist 1854. No sale will be complete until the same is reported to the Court and by it approved and, standing in the face of what we The lerms of sale are cash to be paid be fore the deed is executed. SNOW dministrator of said Estate. ligious test; and an inchoate State, a community forming itself so far as it may under our system for admission into the Union, ought not to be allowed to establish a religious test -381 the election of its officers; and yet we know as a fact that it is not the Constitution of the United States, h is not the theory of a republic, it is not the principles of free covernment as contained in the Constitution that form the government of the Territory of Utah or are in the least degree resof Utah or are in the least degree res-pected by the majority of the linhabi-tants or by those who control it. Therefore it is in this view that I find my measure of duty and my measure of power to prevent the establishment of a government within the Union which is not in its essence and in its forms a tenubleon covernment

which is not in its essence and in its forms a republican government. Sir, I do not believe that polygamy is consistent with a republican form of government. Matrimony is an insti-tution, civil and religious, but it is also a political institution. There never has been a day since this was a country, either canonial or State or now cemented into a National Union, a nation of States, when the great law of Christendom as to marriage, the HALL'S Vegetable Sicilian HAIR RENEWER of Christendom as to marriage, the voluntary union of one man to one woman for life, and to none other, has was the first preparation perfectly adapted to cure diseases of the scalp, and the first suc-

cessiol restorer of faded or gray half to th narural color, growth, and youthful beauty, it has had many imitators, but none have so fully not all the requirements needful for the proper treatment of the hair and scalp. HALL'S HAIR RENEWER has steadily grown n favor, and spread its fame and usefulnes to every quarter of the globe. Its unperalsled success can be attributed to but one muse: the entire fulfilment of its promises.

The proprietors have often been surprised

the settlers there a stitution, in the fifth article of amend-ments, which I know has been held apbe admitted to the Union as an American State, counded upon the denial of the purity and integrity of the family relation. blicable to the States in restraining he powers of the States to do this In the first place, our power is no the power of "exclusive legislation." thing. In view of the recognition of the fact of the absolute unity under the institutions of matrimony caused by marriage of two individuals, the man and the woman becoming one, the The power of "exclusive legislation" is conferred by the Constitution in re-spect of the District of Columbia. That language is not used in respect of the Territories of the United States, but "all needful rules and regulations" may be made for them. So it has been from the foundation of this govern-ment, since the time the first Territoower of the fifth amendment applie to the States, the States having a larg-er range of power than the Federa Government, for the States possess the great mass of powers not expressed and the Federal Government possess rial government was organized, that Congress has reserved the power in appeal to control, a revisory power over the Territories, and has permitted none but those which are expresse and delegated; and of course as that power is not among those delegated. I would take it to be an undue exercise of authority, independent of its inem just as much self-governmen is it was safe and proper in the opinjustice, for the Government of its in-United States to attempt to pass such a rule of evidence as is proposed by this bill. on of the Congress of the United tates for them to exercise. Mr. President, I fear that this definition of the Senator from Massa-

But. Mr. President, just as fatal as is polygamy to our republican system, so monogamy is just as essential. It be-hooves it just as much to guard the latchusetts would lead the Congress of the United States rather to invade the domain of morals and forget the imitation of the domain of law. I prefer to deal with this subject acter as it does to assail the former; and every law and every statute that tends cording to our constitutional duty to make the needful rules and regulations and to guarantee to each State of the o assall the institution of monogamy as much to be discouraged and de-Union a republican form of govern-ment; and in making needful rules and egulations preparatory for the exerise of that other discretion reposed in sophical or just, permissible or admis-sible in any sense, to gain the destruc-tion of polygamy by destroying the vi-tal principle of its great opposite, mo-nogamy; and yet it seems to me that in the very natural desire, to root out and destroy this condition of bigamous Congress of admitting these Terri-tories as new States when their popu-lation and their circumstances shall warrant it, I think it is manifestly our or polygamous marriage, as the case may be, in the Territories, we seek to implant in the very means to accom-plish that, end the destruction of the other institution so essential as the

The bill does not say that the poly gamous wife may be called as a ness. A polygamous wile is no wife If I read correctly the opinion from th English court of divorce read by my

decision expressly upon the fact that the witness was admissible because she was simply a nominal wife, an untawful wife, which meant no wife at all. They defined marriages to be the voluntary union of one man and one woman for life, to the exclusion of all others, and then give as the reason for their decision that they would not entertain a suit for divorce by this Mormon from one of his polygamous wives

Mr. Garland, There was but one marriage. Mr. liayard. I know, but they recog-nized it as having been under polyga-mous laws.

Mr. Garland. Yes. Mr. Bayard. It took its root in an institution that was anti-monogamous is This the whole substance of that decision as I copied it from the report :

Offenses pecessarily presuppose duties There are no conjugat duties but the which are expressed of implied in the con-tract of marriage. And if the compact of parygamous union does no. carry with these duties which it is the office of the marriage task in this country to assert an enforce, such unious as are not within the reach of that law.

But this section does not contin-self to unions which are polygam uniawful unions, but, on the contr woman for file, and to hone other, has not been the law of every part of this country. There never has been a time when bigamy and polyramy were not punishable by the law of every state of the Union and by the laws of the United States as unpiled to the Terriit says it is the lawful husband or wi who shall be compeliable to testify certain cases of a criminal nature bigainy, polygamy, or uniawful cohab-itation-against the husband or wife as the case may be. Now, sir, i an willing to go as far as any so that the punishment shall not be cruel or un-usual, for that is forbidden to us under I say that the institution of polygamy is inconsistent with a republican form of government a expressed under our system. It necessarily involves the degradation of one of the serves; it inusual, for that is formating to a last by our natural instincts—I say I am will ring to go as far as any to punish his amy, to punish polynamy, and on the other hand I am willing to go as far any to encourage, if you may, mono-

roducing not only plenty of fish for iome use, but some to export. Payson is one of the leading towns of Utah County, and contains some very pleasant homes, where culture and refinement are manifest. An accident occurred here on Satur-

day, the 21st, from a runaway team, which injured two little girls, daughters of George Montague. One received only a slight injury, but the other was quite seriously hurt. Hopes are entertained for her recovery, how-

> recovering from a long illness. The town has made some good linprovements, quite a number of new buildings have been built, adding Of the Estate

much to its attractiveness. Something should be done these towns to control a certain element which is on the Increase-a lawless element that spends the Sabbath day in racing, driving fast teams, nied as it is essentially our duty to prevent and obstruct every law that favors polygamylor bigamous marriage. I do not think 'It either wise or philo-Nor does it end in this, they commit shouting and brawling, to the annoy Nor does it end in this, they commit other small depredations, such as taking off gates, tearing up fooi bridges, and doing other acts of petty meanness, and steps should be taken to control this element before it becomes the controlling power, or is beyond the reach of moral influence. All good citizens should unite in an effort to suppress these

practices and not encouragelawlessness by making excuses for those who commit them. Situated as it is in the south end of Tah County, near to the divide, on : high plane overlooking the south end of the valley northward, and having so

high an altitude, Santaquin is wanting in some of the advantages enjoyed by other towas more favorably lo cated The soil here is not so good as in

some of the towns north of 11, but the people are persistently industrious and by continuous effort accompfish a great deal and make the earth yield

them a good harvest. The DESERET NEWS is well patron-

ized here and in the other towns, the people appreciating a live and reliable newspeper. The machinery for a steam sawmi

has reached here, to be crected near the town. This will create labor for some of the people, as they have quite a lot of logs on hand and expect to get out about 75,000 feet of timber in the hills near by

sa Family Trade a Specialty.

with decensed, to the creation of and a persons having slaims against the add do ceased, to exhibit them with the necessar vouchers, within ten mouths after the fir-publication of this notice, to the asid admin istrator, Henry Moore, at his resultance, 509 w First South Street, Salt Lake City, to the County of Salt Lake. W. Douglass, the merchant, is just Dated at Salt Lake City, May 26th, 1881.

of Jas, K. Baldwin, deceased d158 oaw 457

meeting, d 9, 21 & 28

Excelsior Baker

NOTICE TO CREDITORS.

HAVING BUILT A NIW BUILDING e Baker MR. E. SCPACE w hes to ann unce the le has

RE-OPENED AT No. 10, East Temple St., S.

And will be pleased to have his on friend Bread, Buns, Cakes, Candies

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