

# DESERET NEWS.

## WEEKLY.

TRUTH AND LIBERTY.

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WEDNESDAY, - FEB. 15, 1882.

### THE NEW BILL AND THE DELEGATE'S SEAT.

THE action of the lower House of Congress on Monday in relation to the qualifications of Delegates from the Territories, as reported by telegraph, does not speak very highly for the decorum or devotion to business of that body of law makers. It appears that advantage was taken of a time of general inattention to suspend the rules so that the bill—whatever it was—might be rushed through without any deliberation. The Speaker, quite ready to aid in anything of this kind, announced that the motion was carried, and the bill was passed, although but a very few members were aware of the proceedings, and only when a burst of laughter followed the announcement was the House apprised of what had been done.

The exact provisions of the bill are not given in the dispatch, the press telegrapher giving more attention to what Blaine was going to do or say, the change of ownership of a newspaper, the retirement of army officers, and other similar startling tidings than, to a lucid account of the bill passed in such a peculiar manner.

It is believed that the object of securing the passage of the bill in this unseemly style was to forestall the expected action of the Committee on Elections, which in all probability will have to report that Hon. Geo. Q. Cannon is lawfully entitled to the seat of Delegate for Utah. If this view is correct, it is quite likely that the attempt to prevent Mr. Cannon from obtaining his rights will prove abortive.

The bill in order to become a law will have to pass the Senate. It is unlikely that this can be effected and the signature of the President to the bill be obtained, before the elections committee has reported, and the Delegate has been sworn in. Once seated, he would have to be formally expelled to remove him, and expulsion could only follow a definite charge, which would be very difficult of proof, for it is not in evidence that Mr. Cannon has ever broken any law of Congress or of the Territory of Utah.

But supposing that the Senate, urged on by the fanatics and the public excitement, should hurriedly pass the bill, and the law should be established that "no person who is guilty of bigamy or polygamy shall be eligible to a seat in Congress as a Delegate from a Territory," would not the charge have to be legally substantiated against any Delegate objected to before he could be excluded? The only law of the United States against bigamy is the act of 1862, and as we have shown repeatedly, that law cannot be made applicable to our Delegate. Are common rumors, the accusations of enemies, or the supposed admissions of the accused, to be taken as proofs of guilt? Will not a definite arraignment for bigamy or polygamy, as the offense is defined in the law of 1862, have to be made and judgment thereon rendered, before it can be urged against a Delegate that he is ineligible under the new law?

There is another view of this matter, and that is the *ex post facto* question. The bill which passed the House in such an undignified way, defines a new qualification for the Delegates from the Territories. This can constitutionally apply only to the future. Mr. Cannon was elected under the laws providing that certain qualifications shall be required, and he possessed all those qualifications. Should the committee appointed to examine into his election find—as there is no doubt they will—that he was duly elected, is a citizen of the United States and over twenty-five years of age, they will have to report in his favor, if they act lawfully, and in accordance with their official oath, and the new qualification

required, even if the bill should become a law, cannot properly apply in his case, not having any "back action" but only bearing upon cases arising after its passage.

The probabilities are, therefore, yet in favor of justice being done to Utah in the matter of the Delegation. Campbell of course has not the ghost of a chance to be seated. Our Delegate has all the law and the equity in his favor, and notwithstanding the partial success of the trick played upon the House on Monday, if the Committee on Elections has backbone enough to do what is right regardless of priestly clamor, George Q. Cannon will be declared entitled to the seat, as Delegate from this Territory.

### THE ARGUMENT TO-DAY.

OUR Delegate was to appear before the Judiciary Committee of the House to-day in an argument against the Shallenberger bill which was referred to that committee, thence to a sub-committee, and reported back to the full committee with some amendments. The bill as amended by telegraph provided originally simply that no polygamist should hold any office of trust or profit under the Government. The amendments make it include the Delegate in Congress especially, and an iron-clad oath is prescribed which he must take before he shall draw any pay. Whenever he swears that he is not and never has been a bigamist or polygamist, it provides that he shall be subject to investigation by *quo warranto* before the United States Court in the Territory, and that his wives, or alleged wives, shall be competent witnesses against him.

Whether this bill is superseded by the one introduced on Monday does not yet appear. Indeed there have been so many introduced that it is difficult to keep track of them all and their bearings and relations. However, we shall look with interest for the argument offered by our Delegate, and hope to be able to publish it or a synopsis thereof at an early day.

### STILL "OFF."

WE notice that the Provo *Enquirer* is still "off the track," and pursuing its by-path persistently. If it so inclines we offer no objection and should not have said much concerning it, if in its endeavors to take its readers along, it had not unjustly accused the Legislative Assembly. It now says:

"We are satisfied that there is no legislative body to be found anywhere that can show a more honorable record than can the Utah Legislative Assembly; and we see no reason why its majority should refuse to adopt a resolution that can only increase the confidence reposed in them by the constituencies."

We are sorry that our cotemporary cannot see the reason why the Assembly refused to adopt the Resolution referred to, but that is not our fault. The reason is very simple. The Resolution related to matters over which the Assembly has no control whatever, and her getting "off the track" through undue haste the House very wisely retraced its steps as soon as possible, an example which other folks would do well to follow.

The trouble with the *Enquirer* is that it 'misconstrues' the section of the United States' Statutes which relates to the legislative expenses provided for by Congress. Repeating the section several times in a long article, does not change its application. It relates solely to the amount appropriated by Congress and expended by the Secretary, and does not refer in the remotest manner to the expenditures of the Territorial Legislatures. The expenses paid for by the Government must not exceed the amount appropriated therefor, that is all. To say that the power which levies taxes cannot control the disbursement thereof is simply absurd.

As to the public printing, the *Enquirer* is mistaken. Provision is not made by Congress for all the printing necessary, as certain things which no one can dispute are necessary, are not allowed to be paid by the Secretary, among which are the daily minutes. These are essential to the business of the two Houses of the Assembly, and are and have been paid out of the Territorial Treas-

ury, because not included in permissible expenses allowed by the Treasury Department. And we repeat, the Secretary accounts for his expenditures, not to the Assembly, but to the Comptroller of the Treasury, and the Legislature, not appropriating the money, has no control over its disbursement. But the *Enquirer* says:

"We are also of the opinion still, that although the Secretary may be responsible to the Comptroller for the legitimate use of the money intrusted to him, the House has the right to enquire from time to time of the Secretary how much or little of that money is being expended, and that it is the duty of the Secretary to report to the Assembly, if called upon, as to what amount is expended or left of the appropriation that Congress designed for the use of that body."

Ud *Enquirer*, of course, is entitled to its opinion, but it has advanced nothing to show that it is based on any law. And if the object was to get the Secretary to report on his expenditures, why was the Resolution framed to make the *Sergeant-at-Arms* furnish the account? As we have already shown, the latter is not a disbursing officer of the government in any sense; a Resolution was a mistake, which the House recognized upon examination, and continually harping upon it only shows the errors in a clearer light. However, if our cotemporary wishes to continue "off the track," we shall not further interfere in its travels, provided that by the way it does not make undue aspersions on others. Good bye.

### V GREELEYITE ON THE UTAH QUESTION.

THE annexed letter from a Greeleyite was published in the *Denver Republican*, and we reproduce it as, in the language of that paper, "a common sense view tersely stated," and embodying the ideas of a good many people who do not join in the senseless howl which has been started all over the country by sectarian priests and noisy demagogues:

GREELEY, Jan. 20, 1882.

In your to-day's *Republican* you publish the Chicago *Inter Ocean's* call for a mass meeting to consider how polygamy may be exterminated in Utah; and you join them in recommending co-operation throughout the country to accomplish that end, and there is evidently a general willingness to do so. Polygamy is the form that the social evil takes in Utah to almost the entire exclusion of promiscuity, the form which the same evil takes in all the rest of our country. If we can eradicate the social evil in Utah by any amount of meetings and petitions, it will be worth our while to do so, but if we can only suppress the polygamous form, and change it to conform with the prevalent kind of adultery, I sincerely doubt if we shall have accomplished any good. Take the terrible picture, that the same number of the *Inter Ocean* that makes this call draws of the evil in its promiscuous form in the heart of Chicago. They publish a map of the district called the Levee, consisting of twenty-five blocks, and aver that on those blocks live 3,000 prostitutes, and the district is visited daily by at least 12,000 men, a perfect sink of drunkenness, robbery, murder and all the vilest debauchery. And this is only the center of the Chicago sore, the unconcealable part. A far greater part draws a veil between itself and the public gaze. What is true of Chicago, the *Inter Ocean* avers, is equally true of all the other large cities, and in an equal degree of the smaller cities and towns. On this promiscuous form nature places the ban of capital punishment, and follows the women who engage in it with disease and sterility and death more sudden than the law visits on murderers, and on the men who stop before death overtakes them she visits disease and transmits it to their children. Nature follows the polygamous form with no such manifestations of her displeasure. But counting polygamy as adultery, let us exterminate adultery where we can. Only let the laws be general and not partial or local in application.

If we disfranchise the adulterers in Utah, let us do so throughout the land. If Congress is to expel Mr. Cannon for adultery, let it also expel all other Congressmen guilty of the same crime. Laws that are not general are seldom just, and those that punish one form of a crime and li-

cense another and worse form of the same crime, are seldom productive of good. Adulterers control elections in Utah, and, too, they very frequently control caucusses and conventions, nominate candidates and decide their election in Chicago, and, if we can believe Denver papers, sometimes control affairs even in Denver. I believe in making a square fight against the whole evil, and that each community had better commence on that which is nearest to it, making its fight at close quarters instead of at arm's length.

J. S. S.

The writer of the above is mistaken on the actual situation in Utah, but correct in his argument and deductions. There is nothing in common between the social evil of Christendom and the marriage system of "Mormondom." They are diverse and alien. The former is founded in lust, born in sin and shapen in iniquity; it bears the fruits of disease and decay, feeds the sources of vice and crime, smites both body and soul with the blight of corruption, and leads down to death and to hell. The latter extends the blessings of matrimony and the influences of love; it multiplies offspring born under family regulations, inculcates chastity and honor, is governed by religious impulses and ordinances, is pregnant with life and health, and makes the union of men and women in the family relation perpetual; thus binding the ties that join them forever, and making the family basis firm and endearing. It strikes the axe at the root of the tree of the social evil, and is its most uncompromising and effective foe.

"Counting polygamy as adultery" is a common miscalculation. It is a palpable error. Living with two wives by mutual consent, under a marriage ceremony considered by them divine and authoritative, is not to be compared with taking another man's wife. The two acts are totally different in essence, in fact, in law and reason and in effect. Those who believe in and practice "Mormon" plural marriage abhor adultery. They believe the former, governed by certain restrictions, to be right, while they regard the latter as a deadly sin, which ought to be punished with death. Adulterers do not "control elections in Utah." They and their fellows outside of Utah would like to do so, and are moving the whole country to effect their purpose, but so far they have not accomplished it.

We are with J. J. S. in a "square fight against the whole evil" of adultery and promiscuity. We regard them as the besetting sins of this lascivious age. "Mormonism" is at war with them uncompromisingly. And it is the spirit which leads to them that is inflaming the public mind against Utah to-day. Equidivorous and lustful politicians and Pharisees, guaging us by their own standard, are making a tremendous bellowing through the land, but they have no conception of the purity and sanctity with which we regard the family relation, nor the self-restraint and self-denial which "Mormon" marriage properly understood imposes.

The Greeleyite touches the *Inter Ocean* in a tender place. And the inconsistency of declaiming against "Mormon" marriage, and at the same time winking at the notorious and monstrous evils in their own vicinity, is a characteristic of most of the newspapers that join in the present puritanic crusade. That Chicago sore has its counterparts all over this Christian land, with fibres of corruption reaching into unnumbered households, poisoning the very fountains of life and breeding sorrow, sickness, distrust, contention, infamy and death. Yet these common and crying evils excite no commotion, while those who gaze upon them every day or read about them in the public journals pass them by as naught or as "necessary evils," and go wild with excitement because a few "Mormons" in Utah marry and take care of all the women with whom they live, and father the offspring of their unions. Verily, Humbug is king; and Hypocrisy prime minister!

### ANOTHER LYING DISPATCH.

A TELEGRAM sent from this city to the Pacific Coast papers states that, "A report recently submitted in the Council Branch of the Utah Legislature contains over fifty pages of

bravado and defiance to the United States Government." Also that, "The leading polygamists, taking a more sober afterthought, are endeavoring to suppress it."

This dispatch emanated from the same source which has sent forth many other intentional falsehoods for the purpose of inflaming the public mind against the "Mormons." The report of the Council Committee has been published in full in the *DESERET NEWS*, and no attempt has been made by anybody in any way to suppress it. It does not contain a single line of defiance to the United States Government or any one else, but is a candid and temperate expression of the views of the people in regard to certain portions of the Governor's message. If it had contained anything defiant or that could be construed into defiance, it would have been copied by every "Mormon"-eating sheet in the country and its prominent points telegraphed by the utterly unscrupulous author of the dispatch now considered.

The report, after a few merely verbal changes, has been adopted by the Council, and bears on its own body the best refutation of the falsehood telegraphed by the Salt Lake dispatch fiend.

Public opinion in relation to Utah and the large majority of its people is formed upon just such misrepresentations as those in the press dispatch about the committee's report. Not a public speaker who declaimed about the iniquity of the "Mormons" and called for their punishment and extermination, during the recent wildfire excitement, either fairly stated the situation or exhibited a correct knowledge of the facts. And the misconception which grows into anger and malice, and breaks out into folly and blood-thirstiness, is formed by the aid of just such statements as those in that telegram to the Coast papers. It can only be designated properly as an unmitigated lie.

### LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, FEB. 10.

**A New Engine.**—A new engine (No. 2) for the Utah Eastern R. R. has arrived at Coalville. It weighs thirty-two and a half tons, and was made at Baldwin's works, Philadelphia.

**School Fund.**—We are requested by Mr. N. Clayton, Auditor of Public Accounts, to state that the school fund is ready for disbursement, and can be had by the county treasurers on application.

**On Bail.**—Green, of Lehi, charged with stealing a couple of shotguns, will be examined before Justice Pyper on Tuesday, at 10 a.m. Pending that time, he has been released on \$300 bonds.

**Mild and Severe.**—A gentleman just in from the East informs us that he saw no snow all the way from St. Louis until he got within a short distance from Laramie. Grangers are plowing their land at Omaha. And all this while we are having quite a wintry time.

**Cure for Frost Bite.**—A gentleman informs us that, in Tennessee, where he was sojourning a short time since, the people have a very effectual remedy for frost bite. In view of the many cases that occur in this part of the country, it may be found of use.

Slack some fresh lime, and rendering it about the consistency of ordinary white-wash, immerse the frozen parts, holding them in the solution from three to five minutes. After this, wash the parts clean, put on a pair of stockings and go to bed. The first application of this treatment is said to give relief almost invariably. When it does not prove effective, repeat. It is said to be a sure cure for chilblains.

**Horrible Accident at North Platte.**—According to the Omaha *Bee*, William Doud was walking along the Union Pacific track at North Platte, a few days ago, paying no attention to the warning bell of an approaching engine, when the tender struck him and knocked him down on to the rails and under the wheels. The engine stopped, and Mr. Doud himself crawled out from under the engine and attempted to rise to his feet. He did get up on the stumps of his legs just as assistance reached him. The wheels had crushed to shreds his left leg above the knee and his right leg below the knee. He was carried to his home and died a few hours after