

class of cases. His course is reprehensible in the extreme, as by his arbitrary and tyrannical method he compels witnesses to supply—in a public capacity—improper testimony against a certain class of defendants, whose rights are not only ignored but trampled under the hoof of an assinine official.

It looks as if a protest was all that can be offered as a remedy for such wrongs, seeing that they go on unrectified.

### IN RELATION TO DEBATING SOCIETIES.

We understand that in some portions of the Territory debating societies are being organized and operated. Efforts in that direction, in every form, are a healthy indication. They show a progressive spirit and a desire to advance by improving and polishing the mind. In all exercises of that nature, however, it is necessary to avoid everything that will conduce to a pernicious tendency, that the good effects may not be counterbalanced by evil results.

A profound interest in the welfare, advancement and culture of the young leads us to express some views in relation to debating societies among the Latter-day Saints. Those opinions are based upon observation, experience, and whatever of light has dawned upon us otherwise in relation to mental philosophy as associated with the Gospel of Christ.

Ordinarily in a debate, questions on various subjects are selected for the exercises. A negative and affirmative of the propositions are formed. Disputants are awarded to each side. These conditions form the basis of a contest between the speakers pitted against each other.

The chief objection—which we deem quite serious—to exercises of this character is that, as an almost invariable rule, one side of a proposition is necessarily false. This fact involves the necessity of those who take that side of the argument reasoning from erroneous premises. In order to sustain it the disputants are compelled not only to champion a falsehood but they must, in the very nature of things, resort to sophistry to bolster it.

We lay it down as an incontrovertible proposition that this species of exercise cannot be engaged in without detriment. Anything that is not consonant with truth must be injurious, because it cannot be otherwise. Every habit that is not truthful in its very essence has an immoral tendency. Everything contrary to that which is true is immoral, although not necessarily grossly so. Immorality extends much further than the mere province of common vice. The ultimatum of every true Latter-day Saint is to comport with the true and beautiful every thought, action and aspiration. This may be deemed an ideal condition, but it is nevertheless correct.

The deleterious progressive effect upon the mind of sophistical reasoning may be so gradual as to be imperceptible, but it is not the less dangerous because so insinuating in its process. It may for a time be covered up by the attainment, through cultivation, of a species of mental sharpness or brilliance. But when this shining intellectual quality is not supported by commensurate moral scrupulousness, it is but the sheen shed from a shallow substance. To add to the soundness of this position it needs only to be pointed out that it is the rule to award the palm to the more expert debaters rather than to the side where the truth exists, especially when the latter's designated advocates have failed to exhibit it, from want of information and the necessary ability. Thus the deceptive incubus of sophistry is thrown over those belonging to the society and auditors generally who have been non-participants in the contests and who may be unable to discover the truth through the fog of false reasoning in which it has been enveloped.

We feel certain that exercises common to debating societies among our young folks will not have the sanction of the Spirit of Truth. That influence will not be attracted to that which is in opposition to its own genius. It will, however, give assistance to the Saints in all their legitimate efforts to gain knowledge and polish their gifts so as to qualify them to represent intelligently the word of God, which is truth.

We hold also that the desire for knowledge can be gratified, and the ability to convey to others—either in conversation or from the rostrum—the truths and the thoughts with which the mind is stored can be acquired without resorting to debate, in the ordinary sense of the term. The method referred to is given in the "Preceptor." The theory therein explained was especially formulated for the purpose of enabling young men to become familiar with the first principles of the Gospel and acquire the ability to enunciate them publicly. Where the system has been adopted and thoroughly carried out, the progress of the students has been remarkable. It consists of setting up propositions [opposed to that which is true]—thus giving an objective point to the speaker—and demolishing them by evidence and sound reason. It is not necessary, in seeking for material, for the student to confine himself to his own

side of the question, but he may ascertain all the opposing arguments he can discover, thus enabling him to widen the scope of his search for truth in order the more effectually to overturn error. This formula or principle can be applied to any subject, and while it gives nearly if not quite all the benefits to be derived from ordinary debate, it avoids all the evil concomitants and results involved in the latter.

While we cannot but commend the disposition that the young men are exhibiting toward progress and development, we deem it of the highest importance that those aspirations should be directed in channels that comport with the genius of the Gospel. That Divine system is the affirmative side of the proposition that this creation and its inhabitants must eventually fall in line with truth and justice. The negative side of the question is taken up and argued by the powers of darkness and evil. That is the gigantic debate in relation to this creation. Happy is he who comprehends it and regulates his life in accord with the affirmation, on the side of which God and the Angels are arrayed. It is as sure to be ultimately triumphant as it is that the sun gives forth his warmth and lustre and animates and enlivens all nature.

### OPPOSES THE CONGRESS.

A PROMINENT eastern journal opposes the idea of a national congress at Washington consisting of representatives of the Knights of Labor, for the reason that such an institution would foment widespread discord and trouble. It urges that the working men of the country can accomplish all the good such a congress could do by simply voting in concert at home for men who, when clothed with legislative power, would act in harmony with the interests of the laboring classes. The journal referred to holds that the balance of power reposes in the hands of the laboring men, and that they can exercise it as effectively for their own good without such a congress as with it.

The same paper suggests that the charge would be constantly reiterated that the Knights' congress was under the control of jobbers and corruptionists, should it be established, and that the most absolute innocence and independence on the part of its members would not save it from such accusations.

The paper alluded to adopts a sarcastic tone and describes what a nice thing the members of the congress would have, while living in Washington in luxurious style, supervising the work of the National Legislature. This portion of the argument is probably intended for effect upon the jealous passions of the ranks of the order, by exciting which it is hoped to create opposition to the establishment of a body that would necessarily be, to some extent, aristocratic.

Undoubtedly certain classes and circles in the nation have been started by the proposition of the Knights of Labor to establish at the national capital a congress of their representatives, which body could certainly exert a tremendous influence over both the Senate and House of Representatives. There are men among the leaders of that order who are shrewd and intelligent enough to see that in no other way could the will and wishes of the laboring classes be brought to bear upon national legislation and policy in a manner so speedy, forcible and effective as by means of the proposed congress.

### THE ESTRAY LAW AGAIN.

MR. JOHN NIELD, of Meadow, Millard County, who recently propounded some queries concerning the meaning of this law, which were answered in these columns, writes again as follows:

"Thanks for your reply, as to damages by animals, in the News of Oct. 22nd, 1886. I venture to ask for light on one point, not yet made clear, and on which opinions conflict.

What is the intent of the law as to premises not under fence where we are living under a 'no fence law'; can damages be recovered for trespass on farms, town lots in towns that are not incorporated, orchards and stack yards alike? Or must such lots, etc., be enclosed with a lawful fence as required under the old law of 1880, page 48? Please answer through the News and oblige quite a number of its readers."

To aid in an attempt at reaching the meaning of the law, we will reproduce those portions of it involved in our correspondent's questions:

"Sec. 3.—If any neat cattle, horses, mules, sheep, goats, or hogs, shall, first—break through a lawful fence, or do damage within the enclosure or premises of any person in any county or portion thereof, where the inhabitants have declared, or may hereafter declare, in favor of fencing their farms. Second—Break through a lawful fence within an incorporated city, or town, or any lawful fence enclosing any city lot, orchard or stackyard and do damage therein; Third—Do damage upon the premises of any person, whether said premises are protected by a fence or not, the person aggrieved thereby may recover damages either by an action against

the owner of the trespassing animals, or by impounding them in the precinct pound.

SEC. 4.—Any county, or precinct thereof, may at a general or special election, called for that purpose by the County Court, by a vote of a two-thirds majority of its legal voters, voting at such election, declare in favor of fencing their farms and allowing their animals to run at large. In such cases sub-divisions 3 of section 3 of this act shall be inoperative during such period decided upon by such vote, and damages may be recovered whether said farms be protected by fence or not."

In sub-division third of Section 3 it is provided that damages may be recovered for harm done by trespassing stock "on the premises of any person, whether said premises are protected by a fence or not." Undoubtedly the phrase, "premises of any person," would be held to include farms, city lots in cities incorporated or unincorporated, orchards and stackyards. Unless the operation of sub-division third of Section 3 is suspended by a vote of the people in favor of fencing, it seems clear that no fence is needed around any kind of premises, no matter whether located in or out of an incorporated city, in order to entitle the owner to recover damages done by trespassing stock.

A question might be raised as to the correctness of this conclusion when applied to premises embraced in an incorporated city having an ordinance in conflict with the Territorial statute. The very last clause in the estray law is a provision intended to protect city governments in certain rights previously conferred upon them. It reads:

"Nothing herein shall be construed to interfere with the rights of incorporated cities and towns to regulate impounding of animals and disposing of the same."

This provision gives to city governments power to regulate the impounding and disposing of animals. An ordinance pursuant to the law would not be construed as in conflict therewith because different to the rule prescribed for the precinct, but would be considered an exercise of that independent power specially delegated by the Legislature, and the ordinance would therefore undoubtedly govern; elsewhere the voting system, as previously stated, would prevail, even in large cities, unless the people of the precinct or county had, by a two-thirds majority vote, decided in favor of fencing their property. It follows, then, that damages may be recovered for injury done by trespassing animals upon any kind of premises, fenced or unfenced, no matter whether located in or out of an incorporated city, unless the people of the county or precinct, or the City Council of a city, have decided in favor of fencing. In other words, the law protects from trespassing stock, the crops and other property of all citizens, and they need not construct fences to protect the same unless two-thirds of the voters of a county or precinct, voting at an election held for the purpose, decide to protect themselves by fencing, in order that they may allow their stock to run at large.

### THE NEXT SENATE.

THE United States Senate contains seventy-six members; of these forty-one are Republicans, thirty-four are Democrats, and one (Kiddleberger) is not distinctively classed. This gives the Republicans a plurality of seven and a majority of six. They will not retain this strength, however, and may be reduced to a tie in the next Congress, as the figures show. The terms of twenty-five Senators expire on the 4th of next March, as follows:

Republicans.	Democrats.
John F. Miller.....Cal.	George Gray.....Del.
J. R. Hawley.....Conn.	C. W. Jones.....Fla.
Benj. Harrison.....Ind.	A. P. Gorman.....Md.
Engel Hale.....Mass.	J. F. George.....Miss.
H. L. Daves.....Mass.	F. M. Cockrell.....Mo.
O. D. Conger.....Mich.	J. G. Fairbank.....Nev.
S. J. McMillan.....Minn.	W. C. Whitthorne.....Tex.
C. H. Van Dyke.....Neb.	S. B. Maxey.....Tex.
W. J. Sewell.....N. J.	J. N. Camden.....W. Va.
Warner Miller.....N. Y.	
John Sherman.....Ohio.	
J. L. Mitchell.....Pa.	
N. M. Aldrich.....R. I.	
G. F. Edmunds.....Va.	
Wm. Mahone.....Va.	
Philutus Sawyer.....Wis.	

None of the Democratic seats but one (Fair of Nevada) will be lost to that party; while it is sure that two Republicans (Harrison of Indiana and Mahone of Virginia) give way to Democrats, and California may have a Democratic Legislature, which would make that party gain three seats and lose one, a net gain of two, and a change of four votes; Minnesota is still in doubt, and if a Democrat should be chosen there, the voting strength of the Senate would stand thirty-seven Democrats, thirty-eight Republicans, and one independent; with his assistance, the present minority could tie and even control the Senate.

Later advices indicate that the Democrats have the Legislature in New Jersey; which if correct, with the foregoing figures correct, will give them a clear majority.

### BROTHER KEMPE AGAIN HEARD FROM.

AT HOME CONTEMPLATING PAST EXPERIENCE.

There are some things in the following letter similar to what appeared in the correspondence published a few days ago from the same gentleman to Elder Lorenzo Snow and others. To preserve the symmetry of the communication we, notwithstanding, give it in full:

ALPINE, Apache Co., Arizona, October 28th, 1886.

Editor Deseret News:

I am at last at home and at liberty, and though to-day I would rather take a ten years' mission to the Gentile nations or the savage Indians than go back to Detroit for another year, I thank God for my experience for the last two years. I am well satisfied that I and my brethren, Tenney and Christofferson, traveled for many years from State to State in this country, and used all due diligence in proclaiming the principles of life and salvation to the people, it would have removed less prejudice than did our unlawful imprisonment in Detroit.

### WHEN WE LEFT THE

prison we were most comfortably entertained by the general overseer of the House, Gen. R. A. Twichel, who, together with his noble family, did all in their power to make our stay in Detroit pleasant, and our visits with several leading men of Detroit were most agreeable. The president and officers of the House were all most courteous toward us, and expressed themselves highly pleased to see us free men. Our journey home was very pleasant, and thanks to Brother Hart, we had a cheap and comfortable passage. In Chicago I and Brother Christofferson visited the Schettler wagon works.

I arrived at my home in the mountains October 26th in better health than I have known for years; even the rheumatism, from which I suffered so much in Detroit, has entirely left me. The pleasure of being once more with family and friends is greater than I can express. The memory of the past is like a bad, disagreeable dream, and yet I shall never forget the kind and courteous treatment we received from all the officers of the House; neither shall I forget that after I had for 22 months worked as hard and as faithfully for the city corporation of Detroit as any man ever did, I had to pay my expenses to get 2,000 miles back to my family. Had it not been for the

### KINDNESS OF FRIENDS,

I do not see how we should have got to our home. It is truly humiliating to contemplate that such cruelty can be done to men in this age of enlightenment, yet such are the facts; and though our treatment was illegal from the very commencement, we have now no chance for redress. But we have this consolation: The world at large has received a testimony that, can never be erased from the pages of history. We united with our brethren in Georgia, Tennessee, the Utah penitentiary and the Idaho, Yuma and Detroit prisoners to show that neither death, imprisonment nor suffering of any kind can make the Saints of God deny their religion. We know God has spoken from heaven, we know the Gospel of Jesus Christ is once more given to the human family, with all its powers, gifts and blessings, and what are persecution, the prison or death compared to its eternal blessings?

With sincere thanks to all who have been so kindly sustaining us in our trouble,

I remain as ever, yours truly,  
CHR. I. KEMPE.

### PROVO POINTS.

NEARING THE END.

In the Pearson case, the expert testimony was concluded on Wednesday. Dr. Simmons was cross-examined, and then Dr. W. R. Pike took the witness stand. The questions and examination were similar to that of Dr. Simmons, with similar results.

The defendant, H. H. Pearson, Jr., was called to the stand. He related the early events of his life, his accidents and adventures, and his intimate acquaintance with the deceased, Forrest Green, all similar to the previous testimony.

On Thursday the defendant continued: On Sunday morning, Jan. 10th, Forrest Green and I got up early; there was no fire in the sitting room of the hotel; we then went down to the telegraph office to send for some money; noticed a thermometer on the door was 10 degrees below zero; the office was not open, and we returned to the hotel; it was not yet warmed up and we went over to the saloon to get a drink; I drank hot whisky; don't think I drank any alcohol, at least was not aware of it if I did; when Mr. Foote called us to breakfast we took a drink with him; after breakfast we fed our horses, then went to the telegraph office again; found it was not a money office, then went to Mr. Cole to borrow some money; Forrest and I remained at the saloon while Cole went after the money; he handed me nine dollars when he returned; I offered to give him

some security; told him I was a comparative stranger there and asked him to take my pistol; don't remember whether I had it with me then or not; he said he was satisfied that the money would be repaid and refused to take security; I told him he had better take it, as I had no further use for it on the journey, but he did not care to take it; we skot at some coyotes on the road the day before and there was only one shot in the pistol when we reached Nephi; we were anxious to get an early start and overtake our brothers at Willow Creek; when Mr. Cole handed me the money and refused to take the pistol, I asked them to take a drink; we went into the saloon and drank whisky; do not remember going to the corral to trade horses; I admired Mr. Cole's horse, and he asked me to try it; I rode it down the street, then back, and Mr. Cole took it in charge; I remember roping my mule at the corral; do not remember the other events of the day as related; do not remember anything after that; the first I remember of was in the cell of the jail late that night; I awoke up and heard some one at the door; the Sheriff came in and said, "Well, young man, I see you are up;" "Yes," I said, "I would like to come out if not against the rules of the house, as you have a fire there;" I was out to the fire but a few minutes, then went to my cell and fell asleep; woke up several times and was very thirsty; drank out of a bucket in the cell; wondered if Forrest was arrested, too, or where he was; the next morning the officer came in; I supposed I was in there for being drunk; the officer told me that I had shot Forrest Green, but that it was nothing in God's world that killed him but whisky; I did not then realize what had been done; the officer told me he had informed me of what I was arrested for the night before, and guessed I did not remember it; when I was fully aware that Forrest was dead and that I had been the cause of it, I was much distressed; I was sick for ten days after I got bail and reached my cabin; remember my father being there when bail was obtained, and what the officer related to him of the affair; my relations have been friendly before and since the occurrence with the deceased's mother and brothers; one of whom is now in my employ at the ranch.

Cross-examined: Remember tripping Baxter into the river; was somewhat intoxicated; when at Lehi in 1885 I drank some with Green; remember shooting near a freight train as it was passing, but shot into the ground; had no intention of shooting at the train; was somewhat intoxicated; it was in the night; do not remember what I called for at Nephi on Jan. 10th, think it was whisky; I met Hickman some time during the day; I offered my mule for sale to get some money to defray my expenses to where I could get more; I had no intention of getting intoxicated in the morning; at the jail the next morning I saw Cole and asked him to go and overtake my brother and tell him what had happened; remember him coming to the jail and giving him \$20; don't remember of telling him to pay Cole \$20 that I had borrowed; I do not know what became of the pistol I had on Jan. 10th, have never seen or heard of it; I got the \$20 with some more from the sale of my mule.

Defense rested their case at noon. Rebutting evidence was to be produced in the afternoon.

### OTHER MATTERS.

Andrew J. Hoover vs. the Co-op. meat market and others. Judgment by default entered.

Patrick Tregent vs. John Baker. Judgment by default.

Sentence of R. C. Kirkwood was deferred till the 12th. A motion for a new trial will be interposed.

### WEEVIL IN WHEAT.

HOW TO DESTROY THIS DAMAGING PEST.

WILLARD, Nov. 2, 1886.

Editor Deseret News:

As many persons are desirous to know how to get rid of weevil now destroying their wheat in their granaries, I have concluded to write a word to farmers and persons interested in holding and storing wheat. Take slaked lime and run it through a fine sieve to take out all coarse lumps. Then mix the lime with your wheat, bringing the lime in contact with every kernel and the weevil will leave your wheat and granaries at once. From one to one and a half bushels of lime will lime from six to seven hundred bushels of wheat. If you should happen to use more lime it will do no harm to your wheat.

The question may be asked, will the lime injure the wheat for the manufacture of first-class flour? No, it will not. On this matter I have consulted with some of the best millers and mill men in Utah.

M. W. DALTON.

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