

volves the preaching to men and women the necessity of polygamy." On the contrary, they are sent out not to preach plural marriage, but faith, repentance and baptism for the remission of sins, with the promise of the Holy Ghost by the laying on of hands. This is according to their instructions. Did the Elders who were martyred in Tennessee obey those instructions? Let us see. The Nashville (Tenn.) Banner of August 14th, publishes an interview with Elder B. H. Roberts, Assistant President of the Southern States Mission, in which the following appears:

"Elder Roberts said, in answer to a question as to the character of the dead Elders, that they were law-abiding citizens, against whom nothing has nor could ever be said. They had never taught any one to practice polygamy, nor to violate in any way the laws of the land. At the same time they had not sought in any manner to hide the fact that this principle was believed in by the Mormons of Utah. Elder Roberts said, then, he desired to correct a statement published in yesterday's issue regarding the treatment of the Mormons in Wilson county. He said they had preached in that county, but their teachings had never led to any separation in families; neither had the Elders been driven from or treated with violence in that county.

He said: "While it may be true that the ignorant only engage in actual mob violence, still the press of the south, which has frequently published sensational reports of nude baptisms and other unreasonable acts which have never occurred, and which decent people would not for a moment contemplate, cannot be entirely exonerated, as the ignorant have taken license from these reports and remarks regarding them."

From this it appears that the murdered Elders cannot be truthfully charged with "preaching polygamy." The position taken, then, to justify the crime in Tennessee, is wrong and infamous from whichever standpoint it is viewed. The preaching of polygamy is not involved in preaching the "Mormon" Gospel, and as a matter of fact it was not preached by the missionaries who were slain, and even if that kind of preaching was "involved" and was actually carried on by those Elders, it would not justify any kind of violence against them, nor form any parallel to seduction or the breaking up of a man's family in the manner supposed.

The question may be asked, "If 'Mormon' doctrine includes the principle of plurality of wives, why is it not preached by the missionaries abroad?" The answer is, because, in the very nature of it, the doctrine and practice belong only to a certain place and certain individuals, and is not for general preaching or general practice. The revelation enjoining it says distinctly, "It is a law unto my holy Priesthood with the Lord." It is to be administered and solemnized in Zion, and under the direction of the one man only who holds the keys of this authority. And the parties, both male and female, must have previously received ordinances which belong to sacred places in Zion. It matters not whether other people believe in these ceremonies or in that revelation, the Elders do believe in and are governed by them, and therefore do not make it their business to preach or enjoin plural marriage abroad.

Now let us turn the logic of the Tribune maligners upon themselves. They say that "the whole world would justify" a "Mormon" who would "take the life of any man whom he thought was attempting to break up the peace, the happiness and the sanctity of his home." We do not believe in the atrocious doctrine that a man would be justified in taking the life of another whom he thought was attempting such grievous wrong. But if that reasoning is correct, those creatures who use it ought to be killed themselves, and "the whole world would justify" it.

We not only think but know that they have done all that lay in their power to "break up the peace, the happiness and the sanctity" of "Mormon" homes. They have come here and done that which they cite as justification for murder. They have, to use their own words, "tried to beguile the sisters and daughters of the majority here to a fate which the fathers and brothers hold as something worse than death." They have done this by encouraging men's sons and daughters to reject parental authority; advising men's wives to throw off the marital ties that bind them, made sacred by rites deemed most holy; by applauding the recency of plural wives when such cases occur, and the marriage with "Gentiles," of "Mormon" daughters against the wishes and commands of the parents; by heaping vile epithets upon men and women who live together in love under the sanction of their religious faith, for the purpose of beguiling their children into the belief that the relationship both of the parents and their offspring is essentially impure; by urging measures to cast husbands into a felon's cell, and wives into prison for refusing to give evidence for the purpose of breaking up their homes. A faithful "Mormon" would rather see his daughter in the grave than wedded to a godless, unbelieving, dissolute "Gentile," and such unwholesome murder-inciting writers have encouraged and promoted and heralded as full of promise for the breaking down of

"Mormonism." We regard such a fate for our daughters and sisters as "something worse than death," and on the logic of the Tribune the creatures who have tried to beguile our daughters and sisters into such a fate ought to be killed and the whole world would justify it!

They will jump at this as advice from us in favor of violence. But it is not our logic or our counsel, it is their own. We abhor it. We denounce it as vile and murderous. And they only use it for the purpose of justifying the slaughter of blameless men in Tennessee. Look at it! The Tribune's doctrine is, that the mob in the South were justified in murdering "Mormon" Elders if they thought those Elders were attempting to break up the peace, the happiness and the sanctity of home, by "preaching their gospel." How would they like it if the "Mormons" were to treat them to a dose of their own poisonous medicine?

Our policy and influence have been always in favor of forbearance and peace. And in relation to any charges that can be made against our Elders, we endorse the instruction of Judge Stark, of Tennessee, referred to in the Nashville American who charged the grand jury to "indict any of the Mormons whom they should find with more than one wife living in that State, but Elders of the Church of Jesus Christ of Latter-day Saints had the right to teach any sort of religious doctrines they chose, as this was a free country." Contrast this with the dastardly, bigoted and murderous doctrine of the Salt Lake Tribune scribes, and say how much right they have to the title which they boastfully and repeatedly claim of "American gentlemen."

VARIOUS EXPRESSIONS REGARDING THE MASSACRE.

It is somewhat curious to note the various positions assumed by the journals of the country in relation to the Tennessee murders. Some are fearless and outspoken like the Dial, denouncing the massacre in unqualified terms as a crime of the blackest and most inexcusable character. Some on the other hand are either bound down by a craven spirit, which caters to popular sentiment under all circumstances, while a few perhaps are influenced by narrow and contemptible prejudice. The hypocritical class to which these belong pretend to deplore, in a milk and water way, the horrible murders, while at the same time partially condoning the crime by making false and slanderous statements in relation to the "Mormons" and their practices. Among these is the New York Herald, who mildly states that, "the occurrence is to be greatly regretted," but offers no suggestion as to the punishment of the assassins that the law may be vindicated. As if to palliate the diabolical deed, and erect a shield for its perpetrators, the Herald indulges in an untruthful tirade against the "Mormons," attributing to them and their system of religion, elements and acts that are entirely foreign to their genius. The article winds up with the barbarous statement that "Mormonism" has either got to be absorbed or extirpated.

Such sentiments are strangely in discord with the claims of the age to superior civilization, and make it appear that commingled with the marvelous advancement of the present historical epoch in many directions are some of the more rotten phases of barbarism, which a flimsy film of exterior refinement fails to disguise. The defamers of the Latter-day Saints are guilty of nearly all the infamous charges preferred against them, among the allegations being the practice of a species of barbarism. If the bloody crime committed in Tennessee is not barbaric, what kind of an act could be consistently classed among deeds of that character? That being the nature of that deed of atrocity, all palliations and excuses made in behalf of its perpetrators are sentiments in keeping with it, and necessarily proceed from hearts and brains in which genuine civilization, which necessitates a humane disposition, is a foreign element so far as one of its chief conditions is concerned.

RIGHTS OF RAILROADS AND OF THE PUBLIC.

We received this morning, the annexed communication:

MORONI CITY, Utah,
Aug. 19th 1884.

Editor Deseret News:

The San Pete Valley Railway, has surveyed and is now grading a road through our little burg, which is to be built to Chester this season.

The company has not attempted any settlement of claims for right of way, with the people through whose lands they are now grading, though claims have been presented, and objections made to their lands being so appropriated. The work goes on in spite of protests, the Supt., claiming that the company has a perfect right to use what land they need, and that no land need be paid for until the road is built and trains are actually running, and plats filed and approved by the Secretary of the Interior, and copies filed with the Auditor of Public Accounts, and the County Recorder, and the R.R.

Co. has obtained abstracts of the people's titles to the land through which the road passes.

Is it really true that our good and indigent "Uncle" has been so very considerate with R.R. corporations, and so forgetful of the rights of private persons?

Do the laws of Utah Territory allow any more than the right of way for surveys for railroad purposes, without first receiving compensation for the lands claimed by them for said purposes, either amicably, or by a course of law?

Is there any law that permits a railroad company to proceed with the construction of a road through private property, without first settling in some way for the same?

These questions are of much interest to many of our people, who are likely to be affected by this action of the railroad company, and while they do not wish to become obstructionists they think they have yet a few rights that should be respected.

If such a course as this is lawful, it needs but little more than the organization of a railroad company on paper, to destroy the value of most valuable property in any part of our Territory.

Please to answer so much of the foregoing as you may think necessary, in the columns of the News, and oblige many of your readers.

ONE OF THE NUMBER.

The powers of railroad corporations in this Territory are quite extensive. They have not been made so by "Uncle Sam," but by our own Legislature. The General Government has made provisions in certain cases for right of way, etc., over the public domain, but has not extended it to private property.

Neither has the Legislature of Utah provided that private property can be taken for public or corporate uses without adequate compensation. The territorial statute in relation to railroad corporations, authorizes every company incorporated in the Territory, for the purpose of surveying a route for a proposed railroad, by its officers or employees to "enter upon the lands and waters of any person, subject to responsibility for all damages that may accrue;" also to acquire such real estate as may be necessary for the construction and accommodation of such railroad, by purchase, grant or donation. And further, to "enter upon and take possession of and hold and use in any manner they may deem proper, all such real estate and personal property as the directors may deem necessary for the construction and maintenance of railroad stations, depots and other accommodations, and may lay out its road or roads not exceeding nine rods wide, with such appendages as may be deemed necessary;" and may take "as much more land wherever they think proper," for making embankments, ditches, etc.

This is very broad and sweeping. But there is a saving clause to it in these words, appended to the language which we have quoted—"in the manner hereinafter provided." This qualification, as we view it, covers the whole ground of the power of railroad companies to take and hold real estate and personal property, as it states that the corporation may take such land "as may be necessary for the purposes aforesaid, in the manner hereinafter provided." All this will be found in Section 477 of the Compiled Laws of Utah.

Now, what is "the manner hereinafter provided?" No reference is made to it in Section 477, therefore the word "hereinafter" must refer to the Act and not to the Section in which it occurs. We find in the following sixteen sections the manner in which title to these lands and other property necessary to railroads may be acquired. If the company or corporation "cannot contract for the purchase of any real estate, or any right, title or interest therein, from the persons owning the same," title may be acquired by special proceedings prescribed in the Act. These special proceedings involve a petition to a court having jurisdiction, and the right of the owners of the land to appear at a specified time and show cause against the same. If the court becomes satisfied that the lands are necessary for the railroad, commissioners are to be appointed to value the land and fix the amount of compensation to the owners. The decision of these commissioners may be appealed from, and the matter recommitted. But when a final decision is reached, the compensation fixed upon may be paid into court and the title to the lands so condemned passes to the railroad company.

But until then the company has no right or title to or interest in those lands. They remain the property of the respective owners. We are aware that the view is taken that railroad companies, under our statute, may do about as they please with real estate that they claim to be necessary for their roads. But a careful reading of the law will show that it contemplates arrangements by which railroad companies shall be put in just, reasonable and constitutional possession of lands previously the private property of the holders, and not to seize and occupy those lands at pleasure without the consent of the owners.

The law says, "if any such company cannot contract for the purchase of any real estate, or any right, title or interest therein necessary for any of the purposes aforesaid," then it may file a petition, etc. It is clear, then, that the company is expected to first endeavor

to acquire title peacefully from the owners, by purchase. If it fails in this, then comes the right of petition to a court. But the language of the law shows that is for obtaining possession of lands for a road still in contemplation; it is for a "proposed road," for lands "which said company desire to appropriate for the purposes mentioned in this Act."

It is evident that time is yet contemplated in the Act for the owners to protest against the occupation and use of their lands, for the court is empowered to determine whether "the lands, or any part thereof, are necessary for the purposes mentioned in said petition." Is so satisfied, then the commissioners are to be appointed to settle upon the price to be paid for it, and until it is paid, the company has no more right to its use or possession than any private individual who may attempt to seize it under any pretense whatever.

There is another thing to be considered in connection with the subject of the above letter. The right of way through an incorporated city cannot be had without the consent of the municipal authorities. The authorities of Moroni City have the right to direct the location of the contemplated road within the corporate limits, and prescribe such regulations in relation to it as may be necessary for the protection and welfare of the inhabitants of the city. This right is conferred in its charter in connection with Section 9 of the Act of 1880 on Highways, which provides that, "Every gas, water, telegraph or railroad corporation has the right of way through the public ways and squares in any city, village or town, with the consent of the authorities thereof, and under such reasonable regulations as said authorities and the law prescribe."

It will be seen from the foregoing, that the railroad people who are running things with such a high hand are not on such firm ground as they appear to imagine. It would be wrong in principle as well as very bad policy to obstruct or hinder the progress of any valid railroad enterprise in this Territory. But at the same time, the settlers, the public, the owners of land have rights as well as corporations, and these should be maintained. There is a proper way to settle all these differences, and that is not by violence. No lawlessness should be attempted or countenanced. But favors cannot be expected by a company which not only seeks to occupy and use private property without the consent of the owners for railroad purposes, but to seize land which they covet that cannot be brought in any way under the provisions of the law concerning railroads, as in the case of the rock land "jumped" by some of the officials of that company.

We suggest that it would be wise for those railroad people to "go a little slow" until some equitable arrangements have been made with the owners of land in the route of their proposed extension. It is surely to their interest to have the good will of the public. And if they continue to violate law, justice and private rights, let the property owners who are being injured take legal steps to secure redress.

THE GRAIN PROSPECT.

The wheat crop of the country is very full this year, and in many sections its price will be so low as to scarcely pay the farmer for raising it. In Kansas, Missouri, and Minnesota, for instance, it will not be worth more than fifty cents this season, and the trade in the product will be sluggish, not only because farmers will be inclined to hold on to the grain in the hope of a rise in price, but also owing to its abundance, and the fact that the foreign market is likely to be curtailed by competition from India and other parts of the globe.

The bins of the Utah grangers are likely to be filled and almost running over this year, with but small prospect of a diminution of the wheat-glut, as there is no appearance of an outlet that would offer anything like an inducement to dispose of the product to any extent.

But this may turn out for the best. It is in accordance with the advice of the leading minds in the community for the people to retain a large proportion of breadstuffs in the Territory, in case of a contingency arising that would place them in a terrible plight by being caught without a reserve supply to fall back upon.

A season of scarcity is liable to occur any year so sweeping in its character as to cause a bushel of breadstuff to be of greater value than its weight in gold. Even should such a calamity as a famine not fall upon Utah, if it should upon the country at large, the necessity of reserve would exist all the same. The Latter-day Saints offer to the world the spiritual things of the Kingdom, and they should also be in a position, so far as practicable, to administer temporal salvation, should occasion require, by feeding the hungry who might be under the necessity of applying to them for aid. It is in the genius of their profession to be in a position to do good to all men desiring their assistance.

But in any case it is well for the Latter-day Saints to have a considerable reserve of the "staff of life" accumulated, and this can readily be done when the article is "sold for a song," so to speak. When the markets are comparatively closed, the adoption of

this saving policy is almost like "Hobson's choice."

The prospect of heaviness in the wheat market will, for a time, maintain the general tendency to sluggishness of business, and somewhat detrimentally affect the railroads, which have been counting largely upon the carriage of the season's crops for a revival from their present stagnation.

IN MEMORY OF THE MARTYRS.

DEDICATED TO THE BEREAVED.

And shall not God avenge His own elect,
Who hourly to Him cry?
Will not "The Holiest One" accord respect
Unto the widow's sigh?
The orphan's tears! How can they fail to plead,
Oh, Lord, requite so fierce and foul a deed!

A little household band,
Convened to praise and pray,
Seeking to understand,
Truth's simple, perfect way:
The land was free, why should there be
One soul to say them nay?

Hark! to the tramp of men(?)
Of fiends in human guise;
Not tigers in their den
Glare with such baleful eyes.
Blood! Blood! they seek; ere one can speak
Behold the sacrifice.

Ah, not in vain they fell
And not in vain they bled—
All with the just is well.
Hail, ye illustrious dead!
But as for thee, sweet Liberty,
Oh whither hast thou fled?

Embalm the forms so bruised
For all who hold them dear;
Love's right is not refused—
To weep around their bier.
To hearts that know such depths of woe
God send "The Comforter."

Think not ye weep alone,
All Israel keenly smarts—
Your grief is Zion's own,
Thousands of faithful hearts
For you indeed now intercede
To Him who peace imparts.

"How long, O Lord," Most High,
Must human rights be crushed?
"How long" the martyr's cry—
E'en from the bloodstained dust;
Lord, why delay the reck'ning day?
For come it surely must.

Help us, O God! to bow to Thy behests,
To yield to Thy decree;
Help us to feel Thou doest what is best;
Help honest souls to see.

And may the nation right this fearful wrong
That Thou, O Lord! Thy mercy may prolong.

EMILY H. WOODMANSEE.

Salt Lake City, August 23d, 1884.

BUCKLIN'S ARNICA SALVE.

THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetters, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box.

For sale at Z. C. M. I. Drug Store.

Arsenic and quinine are not desirable commodities to carry about in one's system, and it is to be hoped that the poisonous ague remedies have had their day. Ayer's Ague Cure is a sure antidote for the Ague, and all malarial fevers, and is perfectly harmless, leaving the system in as good condition as before the disease was contracted.

Imitations and Substitutes

of Horsford's Acid Phosphate, that are dangerous to health, are in the market. Call for "Horsford's" and ake no other.

DANGEROUS SUBSTITUTES

FOR HORSFORD'S ACID PHOSPHATE

Several inferior and dangerous "substitutes" for the genuine "Horsford's Acid Phosphate" are being offered for sale; and we hereby caution the dealers and public against buying or using them, as they will not produce the same effect upon the system as the genuine "Horsford's," and the ingredients in some of them are dangerous to health.

Some of these "substitutes" or imitations are simply Dilute Phosphoric Acid, which interferes with the digestion; while the genuine "Horsford's" not only causes no trouble with the digestive organs, but materially assists in their action. One preparation that is being offered for sale, by the gallon, contains Meta- or Pyrophosphoric Acid, which are declared by the highest authority to be **poisonous**. The same preparation also contains Chloric Acid, which is a compound of Chlorine. "Horsford's" contains neither of these ingredients.

These "substitutes" are liable to be found at soda fountains, because of their cheapness.

CALL for "HORSFORD'S," and TAKE NO OTHER. NEVER SOLD IN BULK, dead & w lime