

punishment or penalty for their weakness. That the Commissioners had to resort to flagrant falsehood in order to make out a case against the "Mormon" leaders, argues lamentable weakness in the complaint and does not reflect much honor upon the coiners of the calumny.

Neither will the character of the Commissioners for exactness be very much improved by the deceptive manner in which they have reported the action of the courts in the enforcement of the Edmunds law. They assert that there have been "83 indictments found for polygamy and unlawful cohabitation," with 23 convictions and 43 awaiting trial. At the same time they know very well that there has been but two convictions for polygamy—one of them in direct opposition to the evidence—the rest being for unlawful cohabitation under the peculiar and contradictory rulings that have been a puzzle to the lawyers and a laughing-stock to the public. The object of this disingenuous statement is undoubtedly to make it appear that great headway is being made against polygamy, and thus to obtain credit for something that has not been achieved. The paragraph is cunningly worded, but its untruthfulness is apparent.

The recommendation for a fourth Judge for Utah would be very good if it was likely to have any weight with Congress. It is not improbable that this needed change may be effected at the coming session. Not because the Commissioners have taken upon themselves to tell Congress what to do, but because the necessity for it has already been recognized. It is a shame and a reproach that judges in the Territories should sit in an appellate court and review and pass judgment upon their own decisions, and the other Territories as well as Utah ought to be freed from such an anomalous condition.

The Commissioners, it appears, have been greatly disappointed. We condole with them in their grief. They say, "We have been disappointed so far as the action of the leaders of the Church and the principal part of their following are concerned." Really. But what have these officials to do with the leaders of the Church, their action or the course of their followers? Who appointed them to say what policy the leaders of any Church should pursue? It really seems as though "a little brief authority" turns some men's brains topsy-turvy. "We are disappointed," they say. "Have they not yet learned that the conduct of Church affairs belongs to the Church authorities, and that even such wonderful officials as U. S. Commissioners have no right to meddle with ecclesiastical concerns? We are afraid that they will be doomed to many more disappointments, if they expect to mark out any line of policy for the Latter-day Saints or to meddle with things that are entirely outside of their reach."

Concerning their "brief authority," which by the provisions of the law that created it was only intended to last for one season, they attempt to explain the reason for its continuance. In doing so they convey the impression that the Legislative Assembly of Utah at the session of 1884 did not pass a law "conformable to the Organic Act and not inconsistent with other laws of the United States," as authorized in the Edmunds law, by which the Commissioners' offices should become extinct. But all who are familiar with the facts know that such a law was enacted by the Utah Legislature, and that it was vetoed by the Governor in the interests of the Commission that they might continue in their lucrative positions which are almost a sinecure.

It has never been shown, neither can it be, that the Act of the Legislature providing for the filling of the offices made vacant by the Edmunds Act, was in any respect inconsistent with the Organic Act or any other law of the United States. The Commissioners do not pretend to cite any particular in which the Utah bill was in conflict with United States law. But they predict that no such law as will deprive them of their positions will be enacted at the coming session of the Legislature. And well they may. Because they know that the same agency that prevented former legislation from becoming law will be exercised for their benefit, the detriment of this Territory and the expense of the United States Treasury.

While the power of absolute veto—a most unjust and unrepresentative delegation of authority—is vested in a person hostile to the interests of the Territory, and in favor of continuing five useless Commissioners at a cost of \$25,000 per annum to the General Government, it is safe for the Commissioners to prophesy that no law will be passed that will interfere with their incumbency.

We have more to say in regard to the duties of the Legislature and what the Commissioners consider to be its duty under the Edmunds Act—for they take it upon themselves to point out the duties both of Congress and the Legislative Assembly of Utah—but we will reserve it for another article. It is easy to make assertions and many false statements can be crowded in little space, but it takes time and much greater space in which to refute them.

UTAH, MATERIALLY AND SOCIALLY CONSIDERED.

This fact that Utah stands second on the list in the matter of corn-raising

in the United States, is something to be proud of; not that this one item is a matter of so much consequence, but it shows what the "Mormons" have done and are doing in an agricultural way. They took what was conceded and even announced as the most unpromising soil in the country, and went to work upon patches of the wilderness where sterility or stubborn brush held previously undisputed sway; branch by branch and root by root the useless vegetation gave way, and piece by piece the ground was torn open, furrowed, sown and planted. The only "Liberal" then in the country—and he, by the bye, much more deserving of the title with all that it implies, than any of his successors—wanted the opportunity of giving a fabulous price for the first bushel we produced of the very cereal in the production of which we now lead every other commonwealth in the Union save one! He ought to have been spared long enough to read the national crop statistics for the present year, not so much that he might see how greatly his calculations were astray, as to learn by ocular proof what apparently impossible objects can be accomplished by faith united with labor.

Yes, we can not only produce the best corn in the country, but the most of it to a given amount of soil; our wheat is in active demand at all the great grain centres; our potatoes far surpass those of any other part of the world in yield, size and quality; our fruits have given California, which for a long time held the mastery, decidedly the second place as to product and flavor in some lines; in fact, in everything that springs from the soil as the result of cultivation and care, Utah comes very nearly leading if she does not actually lead the van. The fact that the world beyond us is beginning to understand and admit this, makes it the more gratifying.

The "Mormons" have accomplished something, surely, and not with the aid, but at every step and all along with the opposition, of the government and the godless. Relying only on the God of hosts and themselves, they did and dared, and greatly have their hardships, their perseverance and their faith been rewarded by Him and by Him alone. The desolate wilderness has become a garden of Eden, so inviting that the enemies of yore have followed in our trail and settled among us, preferring our "God-forsaken squatting place" to any other. What we have accomplished is good enough for them, and, as many of them seem to think, too good for us. The old feeling of hatred, envy, covetousness and injustice which led to the mobbing, rifling, despoiling, driving and murdering of our people in Ohio, Missouri and Illinois has come with them and grown with their growth till now it is, if possible, more rank and rife than at any time during the dark days of the eastern expulsions. The object is not merely to strip us of all political rights and legal privileges, but to obtain control of everything we have that is worth having, after we have made it what it is. To our claim that with our own hands we forged the link of civilization which completed the chain uniting the Atlantic with the Pacific, they reply: "Come within the laws." To the fact which is sometimes presented before them that we have made it possible for them to live comfortably and amass fortunes, they reply, "Come within the laws;" to the assertion that we, as a people, have never refused to obey any one of the many calls made upon us by the Government, we are advised to "come within the laws;" to the statistical fact that the ratio of illiteracy in Utah is less than in three-fourths of the remainder of the nation, we meet with the startling rejoinder, "Come within the laws;" and it is entirely within the probabilities that when we modestly venture the suggestion that we have left the rest of the country astern even in the one matter of maturing maize, this will be regarded as sufficient of a departure to warrant the call—"Come back within the laws!" If that one argument were all at once to be stricken from the code of "Liberal" procedure, what an ineffably depleted condition the stock in trade of their "statesmen" and jurists would certainly be in!

Timon of Athens was wont to fete and banquet those who surrounded him, at an outlay in labor and money always sustained by himself; those who stuffed themselves with his bounty would praise his feasts and then go off and lay plots to ensnare and ruin him. He knew of this, but rather than create a disturbance endured it and kept up the practice, until nature could endure no more; then the ungrateful conspirators, on uncovering the bowls set before them one day, found them to contain water and nothing else, Timon having previously said all the grace they would ever get from his lips again—"Uncover, dogs, and lap." The moral of this is that unquestioning resistance to the demands of unprincipled men makes them bold, and they finally conclude that they are rendering a service to their benefactors by accepting of what cost the receivers nothing except the daily installments of abuse and misrepresentation which they pay over without stint.

FREE TRADE AND TARIFF.

A CONVENTION of Free Traders is in session at Chicago and is attracting

considerable attention. It has been addressed at times by others than delegates, among them Rev. Henry Ward Beecher, who declared himself emphatically a "no-tariff-at-all man," which means that he would prefer to abolish the custom houses throughout the country and let importations of whatever nature and to any extent come in free of duty. There is certainly something to admire in a policy which admits of no restrictions being placed upon commercial intercourse, and it would doubtless be a good thing but for the fact that like other good things it would not only be susceptible of abuse but be abused. For instance, if no barriers whatever were placed upon foreign traffic, home industries would likely be neglected because of the ability of foreign nations through more skilled and cheaper labor to supply our markets with many if not all the luxuries of life of better quality and at a cheaper rate than those we produce at home. This would be, to some extent, in a material sense, self-destruction. It is to the interest of every country and every part of every country, to encourage home enterprises in all legitimate ways; home growths of indispensable things should receive the preference, other things being equal or nearly so, to those brought to us from elsewhere, no matter where. Economy begins within the home circle, where it is categorized as "domestic;" from there it goes to the community, where it receives the appellation of "social;" then to the nation, where it becomes "national;" then to the world, when it assumes the title of "political." It has been worked up, over and around until the politicians have succeeded in making it a partisan issue, whereas it is merely a question of proper dealing with others and justice to ourselves and those who depend upon us. The same arguments apply to extreme protection; to tax the products of others, as a condition of our receiving and using them at all, so high that the matter of trading in and with them can only be carried on by the wealthy, is to foster monopolies and privileged classes at the expense of the multitude. A tariff bearing most severely upon luxuries and most lightly upon commodities which are not produced at all at home, or if produced, at a greater outlay of labor and means than the imported articles of the same class, would seem to be the golden mean; and political parties need not be the adjusters of such a condition; the natural common sense of the people, aided by laws reflecting their views, will do it and quickly if they are not interfered with.

KATE FIELD ON UTAH.

KATE FIELD has been invited to lecture in New York on the subject of "The Social and Political Crimes of Utah," and has consented to do so. To the invitation is attached the names of several gentlemen of high standing in the national metropolis, and it is presumed that they would prefer to hear the truth, but if so they have made an unfortunate selection as relates to the person, but a very good one as to the subject chosen, for there are a number of social and political crimes, judicial crimes, crimes against justice, crimes against religion and crimes against God going on and increasing in Utah every day.

The Butte Miner, referring to the means by which Miss Field gained her alleged information, says she "Quietly slipped over into the Land of Deseret and made herself very popular with the Mormons. She is a genial, magnetic creature, brim-full of good sense and intelligence and at once became a great favorite with the Mormon women. She was received into their homes and shared their confidences. She saw more of the true inwardness of Mormonism in a few months than would fall to the lot of an ordinary person by many years' residence in Utah. In their homes and their daily lives she learned from the miserable women of Utah the hollowness of their religion."

That is, she made herself acquainted and became thoroughly so, with sinister designs and ulterior motives in view. She made the "Mormon" women believe that she was a good, everyday sort of person, who could feel for the unfortunate and comfort, so far as words might, the distressed—an easy-going kind of body who cared nothing for social and political strife, looking at humanity as her kindred and upon the world as her home. That kind of deportment would, from the very force of human nature, make for her a place at any fireside or any board; and is it any wonder that the good wife, under the circumstances, should now and then engage in a little gossip about family affairs there and elsewhere, all "on the side?" Of course not. "Then," says the Miner further on, "her letters fall like bombshells in the 'Mormon' camp, and she has written much on the subject, laying bare the unholiness of 'Mormonism' in her direct and incisive manner."

Without taking any other ground than that of the lady's admirer, quoted above, it will be seen that she has shown herself to be a hypocrite, a designer, an intriguer, a spotter, a spy and a sneak. If her friends can make up such a record and such a name for

her, what shall we, against whom her malicious shafts are aimed, say? We might say a great deal, but prefer to let the subject rest. If Kate Field can afford, for the sake of notoriety and pelf, to unsex herself in the manner indicated, very well; her deeds be upon her head; what she says or does will neither make us nor mar us. When her brief candle has burned out, we shall scarcely know that it was ever lighted.

RIEL GONE.

The question as to whether or not the renowned rebel, Riel, would meet the death penalty at the hands of the Dominion government is settled, and whatever may be the results, they can now be formulated upon the certainty of his life having been taken by the power claiming to be offended. He was hanged at Regina, N. W. T., at twenty-three minutes past eight o'clock this morning. While it is certain that Great Britain is determined to enforce its authority and punish all offenders wherever its flag floats, it may be seriously questioned whether or not she has gone beyond the needed quantity of national defense in this case, and in punishing with such severity a fanatical leader of those who claim to be an oppressed race, has raised a demon which she cannot control. It may bring about a political dissolution of the Dominion government, and in any event will certainly be productive of no good results. It may be looked upon as a blunder which might as well have been avoided.

ABOUT SEARCHING HOUSES.

We have received the following question from a subscriber, and as the answer is of general interest just now, we give it through the columns of the NEWS:

"A question has arisen among us as to whether a deputy has a right to enter private dwellings and search for parties for whom he may have a warrant by merely claiming that he believes that the party for whom he has a warrant is in there, or whether it is necessary for the officer to have a search warrant."

The Fourth Amendment to the Constitution of the United States reads as follows:

"The rights of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized."

That is plain enough for the most ordinary understanding. True, the Constitution does not rank very high as a legal instrument in Utah, just now, but we are asked whether certain officers have the right to do a certain thing, not whether they can or do it. It may be claimed that the Constitution has reference to unreasonable searches only; and that such searches as they have been making in some instances and threaten to continue making whenever they see fit, are not unreasonable; but they are nevertheless. As a question of logic: What security would there be in the house, of the person or thing, from search or seizure, if the time and place for so doing were left to the caprice, malice, or even deliberate judgment of an officer who may not be an enemy, but is certainly several removes from being a friend? And as a question of law: If the Constitution did not mean that "unreasonable" in this connection should not be left to the definition of the officer or person having the process, why does it proceed to state when and how such search or seizure shall be effected, regarding it as a matter of so much solemnity that even a warrant shall not issue therefor except upon probable cause, and this to be supported by oath and with a full description? If the officer were to have the power of determining whether or not it was proper for him to forcibly enter the house or search the person, why should the same sentence prescribe the means by which, and by which alone, he may do so?

The object of this part of the great charter is to affirm in a more positive way and support the old axiom, "A man's home is his castle." The roof-tree is too hallowed in the estimation of the law-makers, law expounders and the civilized world, to permit it to be desecrated or assailed; and it is desecrated whenever any person whomsoever, whether clad in the habiliments of the toiler of the field or wearing the gorgeous livery of an immaculate and immortal deputy marshal, enters the door without leave express or implied. In the absence of a direct authorization from a court having jurisdiction, which temporarily suspends the inherent rights spoken of, an official and a citizen are on an equal footing; an entry, under such circumstances may or may not be resisted at the option of the owner or tenant of the premises.

No, the deputy marshal has no right to forcibly enter and search private and occupied premises without a search warrant.

CORRESPONDENCE.

THE SALT LAKE BREWERY NUISANCE.

SALT LAKE CITY,
November 16, 1885.

Editor Deseret News:

The people who reside in the vicinity of the Salt Lake Brewery, particularly those living in the First Ward, have become indignant over the cesspools belonging to said firm, the smell of which is, and has been for months and years, an unbearable nuisance.

The attention of the company has been repeatedly called to the deadly stench arising from their abominable vaults, but instead of removing the noxious filth they, (the officers of the company), have silently and contemptuously ignored the complaints of the injured and aggrieved parties. One of the officers told Rudolph Pruhs, a representative of the injured parties last week, that "the people have kicked before and they can kick again, but we don't propose to do anything in relation to the matter," or words to that effect.

The attention of the proper authorities will be called to the matter.

Very respectfully,
J. D. STIRLING,

One of the very many afflicted by the nuisance.

EMMA NEVADA.

BOSTON, Nov. 1, 1885.

Editor Deseret News:

Our Western prima donna's first American concert was given in Boston Music Hall Tuesday evening, October 27th. Although she had created a perfect furor here last season as an operatic singer. The Bostonians had to be convinced anew of her powers as a concert singer, and it was with an impatience that almost amounted to ill will towards the other singers and performers who preceded her that the critical audience awaited her number, it being the sixth on the programme. But the moment she came in sight her charming, smiling appearance drove all resentment from the eager crowd, and the hands found employment first in applauding, then in holding the glasses up that the neat form and the most elegant attire might be viewed the more critically. But the first note of her difficult solo from "Lakme" (one of the finest modern operas) made us forget everything save the wonderfully sweet voice, echoing and re-echoing itself in the most wonderful manner. I never could imagine anything sweeter and more pure than this *solito voce* (half voice or echo) of hers. Then she retains just enough of the dramatic action and expression to make one enter into the spirit of the piece more than does the ordinary first class concert singer, yet it is never overdone. At the close she was heartily recalled again and again, so also the next time she appeared in a duet with the excellent tenor of the company, Monsieur Verget; and again at the close she sang the famous "Shadow song," with that skill that takes genius and years of practice to attain, and had to return and sing the last portion over, while the audience stood on their feet ready, but loth to take their departure. The second concert created still more enthusiasm than the first, and reached a climax at the close when, in answer to repeated encores, she came and sat at the piano and sang "Listen to the Mocking Bird," to her own accompaniment. Had "Winner" been there he might have been as pleased with his songs as I was proud of the singer, she being a Western "Nevada"—of next State—neighbor of this.

WANDERING UTE.

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