## DESERET EVENING NEWS: MONDAY, JANUARY 15, 1900.



of Congressman Roberts' seven speech delivered in his own debefore the House committee on |

tion, January 5th and 6th. In naing, Mr. Roberts said: Mr. Roberts. Mr. Chairman and Gen-

men of the Committee: As I stand s to face with the task of presenting se before the committee I could sh that the presentation was made by a master hand, one wen trained in the law and to legal argument. I have lowever, to the comdo not possess that trainy have a general knowledge and have been compelled to ith this case as best I could vestigation as I could give of the institutions of my shall proceed first by a

the rise of this case in the s it now stands before this id in order that that stateentirely correct I have much of my remarks out ns to be considered are the coad them.

and final right of B. H. front presentative-elect n the House of Reprewhich he was elected in November, 1898, by the The electorate of said dm a plurality vote of 5,ase in which there is no where it appears, so far as gs before this committee the Representative-elect the qualifications pre-Constitution of the Unitwhere there is no statute to appear in the prore this committee, either of Utah or the United ble to the case which dis-Representative-elect from office of congressman in use of the American Conhen the State of Utah was the roll call of States, for of having the respective s-elect quality, Mr. Tayive from Ohio, arose and responsibility as a memobjected to the swear-Representative-elect from "specific, serious, and ap-grounded charges of in-

vere made against him. statement made by the gen-Ohio, it appears that the specific, serious, and appar-grounded charges of inconsisted of a transcript eedings of a court in Utah, vidence to the effect member from Utah did, ad guilty to a misdemeanor vidence unlawful cohabitation; and at upon the strength of affiother papers in the posseswas charged that since 1890 from Utah had been guilty e offense-that ever since now, he has been a polygathis transcript and this remarked the member from I the truth, the member-elect is, in my judgment, ineligi-member of this House of latives, both because of the squalifications created by Ednuds law, and for higher and iver any quite as sound reasons:" ut as sound reasons" were usqualifications created by unta law, the member from dd not at that time specify, exept to hint that the citizenship of the elect from Utah was questionle aid perhaps vitlated by some de t, which learned counsel had sug-ted to the member from Ohio, but ned from expressing any opinupin that subject gentleman from Ohio further spainst the member-elect from were further emphasized by memis and petitions from several mil-American men and women, ig against the entrance into the the ase of Representatives of the memlect from Utah. [The objection of e member from Ohio was seconded by a member from Arkansas, Mr. MoRea, whereupon the member from Utah was uested by the Speaker of the House stand aside, which he did, saying, wever, that in complying with the quest of the Speaker he waived none his rights.] Subsequently the followresolution was introduced by the mber from Ohio, Mr. Tayler: Whereas it is charged that Brigham Roberts, a representative-elect to Fifty-sixth Congress from the State s to a seat in the s ineligible se of Representatives; and Whereas such charge is made through member of this House, on his re-onsibility as such member and on the as he asserts, of public records its, and papers evidencing such gibility Resolved, That the question of the ma facie right of Brigham H. Robsworn in as a representative he State of Utah in the Fifty-Congress, as well as of his final right to a scat therein as such repretative, be referred to a special combe appointed by the speaker, and Il such committee shall report upon he House decide such question and the said Brigham H. Roberts shall sworn in or be permitted to oca seat in this House; and said shall have power to send for and papers and examine witt oath in relation to the subof this resolution. r the authority of this resothe House that the committee under consideration the prima and the final right of the memt from Utah to a seat in Con-

The "News" today begins the publica- | where appears that there is any affithe committee that Roberts, about 1887 or previous to October, 1890, or since contracted plural marriages, further than may be inferred from his confession to the misdemeanor of unlawfu cohabitation in 1889, as set out in the court records, and therefor on that point he enters no plea, because there is no

charge or testimony alleging it. 3. In the papers submitted, which are supposed to sustain the loose and irregular charges against Roberts, it nowhere appears that there is any affida-vit or testimony that Roberts, either before or since 1890, contracted plural marrinegs, but as to the inquiry of the committee on this subject he specifical ly denies that since October, 1890, he has contracted any plural marriages.

4. To the charge that ever since 1889, when Roberts pleaded guilty to unlaw-

fered as a full plea of not guilty to the charges made against him, except that he conceded the fact established by the court record referred to above. This plea on the part of the member

from Utah raised the question of his guilt or innocence as to the misde-meanor of unlawful cohabitation since guilt of the member from Utah regarding the charges not proven by the said court record of 1889, proposed an incommittee. To the proposition to enter into this examination the member from and subsequently by filing a written brief, citing authorities in support of the several points of law raised in his

Mr. Chairman, I would now ask that may proceed to the argument that further, perhaps, than to state at this point the substantial points of the con-

tention that was made. I think the ar-guments presented here yesterday may be reduced to the four following propo-First .- That Congress can prescribe qualifications in addition to those enumerated in the Constitution of the

United States; and the gentleman urged that even the oath of office pre-scribed for members to take is an evi-States has exclusive jurisdiction under certain conditions, defined disqualifica

ful cohabitation in the then Territory of Utah, that he has lived in polygamous realtions, in violation of law, he pleads not guilty. These several specific answers he of-

1889 and now. The committee having no court record establishing the alleged quiry upon the subject by sending to Utah for witnesses to testify before this Utah demurred, both in oral argument

that printed brief be made a part of the record of these proceedings. With that statement of the case as it rose before the House of Representatives and is now before this committee, I think I have outlined upon this question. It may be possible that the usual method of procedure in argument of this kind would be to reply to the argument that has been made upon the other side of the case. From the consideration of that argument, however, it seems to me that I shall not be under the neces sity of departing from the outline of argument I have proposed to myself

dence of that contention. Second. It is urged that the Ed-munds law of 1882, made for Territories and other places over which the United tions for Territorial and United States officers in such Territories and places. It is held by the opposition that a Con-gressman is an officer under the United States; and hence-since the "certain conditions" referred to (polygamous living) are alleged to exist-these dis-

题 What matters it, if the ground be white.

And the sky a leaden hue? The opening of the year is bright



years a citizen of the United States. he must have been an inhab-Third. Third, he must have been is chosen. Fourth, he must be chosen by the people of his State, the electors having the qualifications requisite for electors of the most numerous branch of the

State legislature. Article 1, section 2, of the Constitution of the United States: 1. The House of Representatives shall

composed of members chosen every second year by the people of the sev-eral States, and the electors in each State shall have the qualifications re-quisits for electors of the most numer-

2. No person shall be a Representa-tive who shall not have attained to the age of 25 years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhab-itant of that State in which he shall be chosen.

It is at this point that I meet one of the contentions of the opposition, name ly, that those qualifications, since they are expressed negatively, make the propositoin stand thus: A Representa-tive must at least possess these qualifications, but the matter is left open to other qualifications to be prescribed. On that subject I hope to be able to bring such authorities as will show that pos-session of these qualifications pre-scribed by the Constitution act in esclusion of any others that might be de-manded; and first of all I refer to the oath of office that is required of mem-bers of the House. So far as I am able to analyze that oath, it does not pre-scribe additional qualifications, but it

scribe additional qualifications, but a merely requires that the member offer-ing himself for the high office of rep-resentative shall take an oath to sup-port and defend the Constitution of the prescribe a single qualification.

Upon the question of these qualifica-tions being expressed negatively, 1 wish to say that in my judgment they are so expressed because they can not be very well expressed in any other form, I belleve there was an effort made to transpose the affirmative and negative expression of these qualifications here yesterday, but you need only to try the experiment to discover that the re-sult of the negative expression of the qualifications in paragraph 2 of section

134, page 103. This is the case:

but

the

United States.

States, by a legislative enactment onstitutional provision, to prevent all ogether the choice of a representativ by the people; that the assertion such a power by a State is inconsiste with the supremucy of the Constitutio the United States and makes voi the provision that that Constitution shall be the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwith-standing. They submit that the posi-tion assumed by those who claim for the States this power, that its there is in no way conflicts with the Constitu-tion or the right of the people under it to choose any person having the quali-fications there in prescribed, has on foundation in fact; that by the Consti-tution or the people have a right to choose the provision that that Constitution tution the people have a right to choose as representative any person having only the qualifications therein mentioned without superadding thereto any additional qualifications whatever; that a power to add new qualification imposed by State authority would neces-sarily disqualify any person who had only the qualifications prescribed by the Feberal Constitution. The report of the committee was

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donted.

Mr. Roberts. I can add nothing, of course, to the clearness of that reason-ing, and I wish to say that if it is contended that the House of Representa-tives or that Congress can add to the qualifications of a member other than those prescribed in the Constitution of the United States, this reasoning here applied in the case fust cited would ex-tend to that condition: that is, the

House could vary those qualifications at will. If they could add one qualifi-cation they could add any number of qualifications, of course, and you would be started upon a sea of difficulties which to my mind is absolutely shore-less. You would have nothing to restrain you or limit you. You may re-spond to every popular elamor that shall be raised from any and every posshall be raised from any and every pos-sible source and prejudice. It is now a clamor against a "Mormon;" but at another time the demand to prescribe an additional qualification may be for a Catholic or an atheist. It is now over a matter once associated with a re-ligious belief, but next time it may be connected with unpopular political mat-ters. On the same subject I read a statement by Justice Story, than whom, I take It, there is no higher authority

on constitutional questions. Commenting upon the very section of the Constitution, at section 625 of his works, he makes this remark:

Mr. Morris. That is Story on the onstitution

Mr. Roberts, Yes, sir, He says: It would seem fair reasoning, upon the plainest principles of interpretation, that when the Constitution establishes certain qualifications as necessary for office it meant to exclude all others as prerequisite; that from the very nature of such a provision the affirmation of these qualifications would seem to imply a negative of all others.

But, Mr. Chairman, I have in a way conceded that the second paragraph in section 2 of the Constitution-that which state the qualifications of a representative negatively-may leave the question open as to some qualifications of members of Congress, but I do not believe the House of Representatives, can prescribe those qualifications, or United States against all enemies, for-eign or domestic. That oath does not who can? Why, those in whom is lodged

the reserved power not granted to the United States by the Constitution of the United States and not allowed th States by State constitutions. Upon this subject—and by the way, it is directly in point—I quote from the Congressional Globe of the Forty-second Congress, third session, Part III, beginning at page 1651. It is a report of the judiciar; ommittee in regard to the Credit Mo iller cases.

Mr. Lanham. That is all in you rinted brief? Mr. Roberts. No, sir: part of It is 2, and the affirmative expression of the qualifications in paragraph 1 of section The reference in the brief, unfortunate. y, was omitted, and I give it here in orexhibits a very clumsy phraseology, ler that gentlemen may examine th there is no importance to attached to the negative expression The Chairman. That was a report de of these qualifications further than the aring against the power of expulsion they are more strongly exby the House, pressed in that way than they could be Mr. Roberts. Declaring against the power both of expulsion and impeach. But in the event of the contention being insisted upon that this negative The Chairman. Oh, no. expression of these qualifications does Mr. Roberts. It included the question leave the matter open for the require Impeachment of the then Vice Presi ment of additional qualifications to those dent, Mr. Colfax, at any rate. The Chairman. Did not the Poland named in the Constitution, who is to prescribe the additional qualifications? amittee previously report in favor of elling Oakes Ames and James Not the House of Representatives; not expelling Congress; unless it can find express Brooks for their conduct in connection with the Credit Mobiler matter, and thereupen the committee on the judiciwarrant for the exercise of such author ity in the Constitution of the United ultution States, because I think that it is a wellwas charged with that duty established doctrine that the powers that are not granted to theUnited States and reported back the opposite ground, that the House had no right to expel Oakes by the express provisions of the Con-Ames and James Brooks for their pre stitution are reserved to the States, revlous conduct in connection with the spectively, or to the people. So that if Credit Mobilier matter, on the ground t is contended that other qualifications that their misconduct occurred prior to the then sitting House of Representathan those enumerated in the Constitution may be prescribed, it is quite evi

## Scrofula, a Vile Inheritance.

Scrofula is the most obstinate of blood troubles, and is often the result of an inherited taint in the blood. S. S. S. is the only remedy which goes deep enough to reach Scrofula ; it forces out every trace of the disease, and cures the worst cases.

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for three years. His head and body were a mass of sores, and his 90 eyesight also became affected. No treatment was spared that we ought would m, but he gree

slmost despaired by the stylee of a friend we gave him S. 5. S. (Swift's Specific). A de-sided improvement was the result, and after he had taken a dozen bottles, no one who knew

of his to of his former dramth all the sores on his body nave healed, his skin is perfectly clear and imooth, and he has been restored to perfect MRS. S. S. MARRY, 360 Elm St., Macon, Ga. bealth.

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twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabit-ant of that State in which he shall be

Your committee believe that there is no man, or body of men, who can add to or take away "one jot or tittle" of these qualifications. The enumeration of such specified qualifications necessarily excludes every other. It is re-spectfully submitted that it is nowhere provided that the House of Representatives shall consist of such members as are left after the process of "purgation and purification" shall have been exercised for the public safety, such as may be "deemed necessary" by any majority of the House. The power itself seems be too dangerous, the claim of power o exaggerated, to be confined in any dy of men, and therefore most wisely

retained in the people themselves by the express words of the Constitution. "The enumeration in the Constitution f certain rights shall not be construed

to deny or disparage others retained by "The powers not delegated to the United States by the Constitution, nor-prohibited to it by the States, are re-served to the States respectively, or the people." (ix and x amendments to Con-stitution.) Mr. McPherson-Who signed that re-port? Mr. Roberts-John A. Bingham, B. F. Butler, Charles A. Eldredge, J. A. Pe-ters, L. D. Shoemaker and D. W. Voor-hees. The Chairman-Do you mean to say

ered.

The Chairman-Do you mean to say that those gentlemen always took the position they took in that case? Mr. Roberts-No. sir: I do not know hat I can say that. Mr. McPherson-Who signed the other report holding otherwise; the report of the Poland committee? The Chairman-The only question was the question of expulsion and not the question of exclusion, and the argument that is made by Mr. Roberts has upplication as well to the question of xpulsion as to exclusion. Mr. Roberts-Yes, sir; I read that part of the report, because it sustains the point I am now discussing, viz, the to demand additional qualifications to those enumerated in the Con-Mr. McPherson-I was trying to fix the names of the men who were on the Poland committee who held otherwise in the same case. I have forgotten. Mr. Roberts-The committee that ofered the other report? I do not know, do not remember now. These were members of the judiclary committe of the House; but the committee which submitted a report to the House favoring expulsion was a special committee of the House. Mr. Chairman, it seems to me that if there is any substance whatever in the contention that there is significance in the qualifications of a Congressman be ing expressed negatively in the Con-stitution, and that therefore other qualfications than those enumerated be required of him, the only power that can enforce the requirement must be the people, not the House of Represen-tatives, nor the Congress, nor the States, It is left to the constituency of Conessmen to determine what shall be the moral standing of the man. The people of the United States have not confided that power either to the State governments, nor to the House of Representatives, nor the whole Congress, The Chairman-You would contend that the House in its action upon the Kentucky cases and the Whittimore case of South Carolina exceeded its power Mr. Roberts-Yes, sir. Those qualifications enumerated in the Constitution being all that may be legally inquired into by this committee or by the House I wish to call attention to the fact that the congressman-elect from Utah possesses all of those qualifications enum erated in the Constitution. In fact, so far as I know, it is not controverted or attempted to be controveried that the member from Utah has all those qualifications, except it be, perhaps, in relation to this question of citizenship that was thrown in sight by the gentleman who first drew the indictment upon the floor of the House against the member from Utah and mentioned here yesterday by the opposition, and to which reference i also to be found in a memorial that is presented to the House of Brepresente tives in relation to the seating of B. H. Roberts from Utah. In that memorial the statement is boldly made, without any reservation whatever-That the said B. H. Roberts was born within the realm and kingdom of Great Britain, of parents who were then sub-jects to the queen of Great Britain, and that the said Brigham H. Roberts has never renounced his allegiance to the said queen of Great Britain, and that said Roberts has never conformed to the provisions prescribed by the statutes of the United States for the admission of allens as citizens of the United States of America. So that it would appear that the citizenship of the member from Utah is challenged. I have not seen the transcript from the court that issued his naturalization papers, but I do wish to say that the member from Utah, so far is it laid in his power, complied with the requirements of the statute. He same to this country between the age of 8 and 9 and made his residence in Mr. Littlefield. What year, please? Mr. Roberts. 1866; arriving in the Territory of Utah in October of that ear. It is a law of the United States. believe, that where a head of a family omes to this country and complies with the statute of naturalization that his naturalization also naturalizes all his minor children. When I came to this country with my only surviving payent





**MEANS TO YOU?** 

It means that you can come

here and get a sult or an over-

coat for man or boy at a

fourth less than you could a

week ago; this means just

about half of what other

meeting of the committee or s the following, after reciting ution passed by the House and bove, was submitted, contain-

harges against Roberts: trges made, upon which the Was based, were that you had ed of unlawful cohabitation since then you have been the same offense; that some you contracted plural marthat ever since then you intained polygamous relations wives of those plural mar-

your request that the comparate its inquiry into your e right and your ultimate seat, it has concluded that in advance of hearing, it feel at liberty to determine course will be in respect to reporting its conclusions. shether or not you contracted, especting the facts in so far bear upon all the questions in

appears to the committee that matter of fact to be ascer ind reported by the committee refore consider and hear tes us 1887, or prior to October, 1890. plural marriages and have ned ever since polygamous re-with these plural wives.

mmittee instruct me to say you wish to make any statement. with the investigation with investigation with t is charged, you may do so in Way.

ese several charges the member tab made the following answers: oberts concedes the fact estab-by the records of the Third Unitates judicial district court in and Territory of Utah, submitted for pection, to wit, that in 1889, in ritory of Utah, he pleaded guilty misdemeanor charged against unlawful cohabitation

1 In the testimony submitted it no-

qualifications now operate upon the ongressman from Utah. Third. It is claimed that Roberts's citizenship was impaired by violation of the Edmunds law in 1889; and the defect has not been amended by Presiand, hence, dential amnesties, or the enabling act for the State of Utah, or by the adoption of the Constitution for Utah; and that the member from Utah is still un-

der the disqualifications of the said s any other. Fourth. It was contended that there is a compact between the United States and the State of Utah, and that Utah has violated that compact by electing present representative from that State to be a member of this House. I think that those four points cover the material argument which was presented here vesterday; but, as already stated. I do not find it necessary to enter into any consideration of these propositions, as I shall meet with them in the course of the argument I have outlined, and will deal with them as they thus present themselves. I prefer, Mr. Chairman, to take up this sub lect as it seems to me to present itself in logical order; that is, the committee is directed by resolution of the House inquire into the prima facle right dent that neither the House for Conand the final right of the member from gress are the proper parties to say what Utah; and consequently I begin with

the proposition as to the prima facle right of the member-elect from Utah to his seat. When a representative-elect from State presents himself at the bar of the House with credentials properly signed case that came up from Illinois-

and attested, and requests to be sworn in, as he has a right to do, the House is then "the judge" of the following qualifications:

First. His election; that is, has he been legally and beyond all question elected

Second. Are the returns proper and valid? Third. The House may inquire as to the qualifications of the representative. No question, as I understand it, is raised as to the election of the Repre-sentative from Utah, or the correctness

of the returns. The point of contention is in relation to his qualifications. Mr. Miers. I do not know that I understand you. You hold they may in-quire into the election when a member presents himself to be sworn; is that

your position? Mr. Roberts. If any question is raised in regard to it I hold they may inquire

Mr. Miers. The question might be raised of the election at that time; is

that your position? Mr. Roberts. Not in such a way, however, as to bar him from being sworn in. The whole controversy before this committee, as I before remarked, is as to the qualifications of this member. The House of Representatives I contend, can not prescribe qualifications for its membership. They are made "the judge" of the qualifications, but are nowhere authorized to prescribe qualifications. The qualifications of a representative prescribed by the Consti-tution of the United States are:

First, the member must be 25 years of Second, he must have been seven

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## Infrequent and Improper Shampooing

are responsible for dry, scrawny and variable colored hair. Many people have a goodly supply of hair, and it would be beautiful were it not that dandruff had destroyed its life and made it lustreless. Everyone's head should be shampooed once a week with some pop-injurious and health-giving wash.

Sutherland Sisters Soalp Cleaner

does not rot and bleach the hair, like soda, ammonia, etc. Aid the scalp cleaner with the "Hars GROWER." They contain nothing but what is good for the hair and scalp.

for the hair and scalp. SOLD BY DRUGGISTS. BODD BY DRUGGISTS. Control of the required age, citizenship, and resi-dence; that to admit suck a power in any State is to admit the power of the

Mr. Roberts. And of their election. The Chairman. And of their election the additional qualifications shall be A decision which I think will be ac-Exactly and the House adopted the resolution that the judiclary committee cepted as final authority upon the subproposed, censuring Brooks and Ames, ject is extant to the effect that a State it refused to expel them.

can not make additional qualifications for this office. That is to be found in a Mr. Roberts. Yes, sir: that is the case. Their investigation also includ-ed an inquiry into the conduct of the Mr. Morris-What is the title of the Vice President at that time, who was ociated with Brooks and Ames.

Mr. Roberts-It is Foulke vs Trumble The Chairman. But the resolution and and Turney vs Marshall, 1 Bart., 168. Mr. Littlefield-It is an election case. that report only covered Oakes Ames and James Brooks.

Mr. Roberts-It is one of the lilinois Mr. Roberts. And incidentally they cases; and I acknowledge, Mr. Chair-man, It is not particularly in point here, only so far as the report of the committee of Congress in that case andiscussed this question that is in point here; and as that report was signed by such able lawyers as John A. Bingham, B. F. Butler, Charles A. Eldredge, J. A. Peters, L. D. Shoemaker, and D. W. Voorhees. I take it that it is about as nounces very clearly the doctrine to which I refer, and it is that part of the matter that I now read. I have good a legal statement of the case as t here in Paine on Elections, section have at my command, and I read it fo that reason. They come directly to the Section 134. This subject was considquestion that is before this committee ered by the House of Representatives in The plea had been made that out of con-sideration of "fustice and sound policy" the Thirty-fourth Congress. The tenth section of the fifth article of the Conthe House of Representatives ought t stitution of the State of Illinois, which was adopted on the 5th day of May, exercise its power in the expulsion of members even if it became necessary to 1848, provided that the judges of the establish new qualifications for the members of Congress, and upon that supreme and circuit courts should not be eligible to any other office or public

subject they submit the following: trust of profit in that State or the Unl-ted States during the term for which The House of Representatives has no constitutional power over such con-siderations of "justice and sound they were elected, nor for one year thereafter: that all votes for either as a qualification in representathem for any elective office (except that tion." On the contrary, the Constituof judge of the supreme or circuit court) tion has given this power to another given by the general assembly or the people should be void. and higher authority, to wit, the con stituency of the member. Every in-tendment of our form of government The contestants in these cases claimed the right to seats in the Thirty-fourth would seem to point to that. This is a government of the people, which as-sumes that they are the best judges of Congress solely upon the ground that the votes cast for Messrs. Marshall and Trumbull, respectively, were null and the social, intellectual, and moral ounliviod, not because of any disqualification in the electors who thus voted. feations of their Representatives whom they are to choose, not anybody to choose for them, and we therefore find because Mr. Marshall had been elected a circuit judge and Mr. Trum-bull a supreme judge within the State in the people's Constitution and frame of government that they have in the of Illinois, each for a term of years which had not expired at the time of the very first article, and second section, determined that "The House of Reprecongressional election. It was consentatives shall be composed of mem ended that this presented the question bers chesen every second year by the people of the States," not by reprewhether a State could superadd to the ualifications prescribed for Represen. sentatives chosen for them, and that tatives in Congress by the Constitution the will and caprice of members of Congress from other States, according The committee on elections, having shown what the qualifications of a repto the notion of " the necessities of self-preservation and self-purification." resentative under the Constitution an which might suggest themselves to the reason or caprice of members from -that he shall have attained the age of 25 years, shall have been seven years a citizen of the United States, and, other States, in any process of "purgation or purification," which two-thirds of the members of either, House may when elected, an inhabitant of the State in which he shall be chosen-de-"deem necessary" to prevent bringing "the body into contempt and disgrace." clare that it is a fair presumption that when the Constitution prescribed these qualifications as necessary to a repre-Your committees are further emsentative in Congress It was meant to exclude all others. And they conclude boldened to take this view of this very important constitutional question, be-cause they find that in the same secthat it is equally clear that a State of the Unioh has not the power to super-add qualifications to those prescribed by tion it is provided what shall be the

qualifications of a representative of the people, so chosen by the people them-selves. On this it is solemnly enacted, unchanged during the life of the na-Constitution for representatives has not the power to take away from the people of the States the right given them by the Constitution to choose, that-"No person shall be a Representative every second year, as their representa-tive in Congress any person who has who shall not have attained the age of

> "That is, to fix a new qualification for Representatives.

financial bill, which has been passed and which changes the standard money in this country. The silver-min-ing industry in the State of Utah is, as ing industry in the state of the principal already remarked, one of the principal industries of the State. The product of silver in that State amounted to \$10,-000,000 in the year 1899. Utah stands third in the list of States in the production of that precious metal, and all this time she has had no voice upon the floor of the House to represent he terests, so materially affected by the currency bill now passed. Consequent-

ly, in addition to the affront that is given to the State of Utah, there is ffected one of her material interests the passing of the measure, concerning which she could raise no protest. Mr. Chairman, it must be held that the member from Utah has a prima

facle right to his seat in the House of Representatives, he had as perfect a title to his seat as any member of this committee or of the House who has been permitted to take the oath of office; and in the action that has been taken, in my humble judgment, a very serious precedent is contemplated if this procedure is permitted to go to the conclusion that has been predicted for it. In the State of Utah we have been connected quite often with constitutional controversies, which have led us to become, I think, very much alive to the actiousness of what is called by the writers "Constitutional Morality," which is generally understood to be an adherence to the fundamental doc-trines of the government, and that any breach in the Constitution is a very serious matter. However small it may seem in its beginning, in its results it may be like the overlapping waves of the levees of the great Mississippi, which if not instantly stopped may go on and on, wearing and wearing con-tinuously, until a gap shall be opened through which will rush the fle ds that will overwhelm all the land with flood and ruin. Consequently, although I understand young members of the House are cautioned against growing too appious about the preservation of the Constitution, I feel constrained at east to call the attention of the committee to what I regard as the un-

(To be continued.)



regularly i



Walker House.

stores would for the sam ments. It's sale for us, i style, not all else why wo get rid of th is here in s Just a few is	have charged you e quality of gar- just a cleanup small lots in each i sizes to be sure, build we want to een, but your size some of the lots. terms to show you ters have been re-
Men's all wool Suits that sold egularly for \$7.50, now- \$5.75	Men's fine Overcoats that so regularly for \$12.00, now- \$9.0
Men's all wool Suits that sold regularly for \$10.00, now-	Men's fine Overconts that so regularly for \$15.00, now- SIL.
\$7.00 Men's all wool Suits that sold regularly for \$12.00, now- \$9.00	Men's fine Overcoais that so regularly for \$18.00, new-
Men's all wool Suits that sold regularly for \$15.00, now-	Men's fine Overcoats that so regularly for \$20.00, now-
\$11.00 Men's all wool Suits that sold egulariy for \$18.00, now-	Men's fine Overcoats that so regularly for \$25.00, now-
\$13.50 Men's all wool Suits that sold egularly for \$20.00, now-	Men's fine Overcoats that so regularly for \$20.00, now-

This sale means a saving to you of fully a fourth on boys' over coats and boys' Suits; as instance \$2.50 Suits for \$1.85; \$3.00 Suits for 1125; 34.00 Suits for \$3.00; \$5.00 Suits for \$3.75; \$6.00 Suits for \$4.60.

\$15.00

\$22.50



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