

in the due execution of any order of a district court, or a judge thereof, it shall be lawful for the United States marshal, or his deputies, to take possession of any jail or prison in the Territory, and to occupy the same so far and so long as shall be necessary for the due execution of such order.

Sec. 30. That it shall be the duty of the governor of said Territory, so often as it shall appear to him necessary, to inspect, or cause to be inspected, the jails and other prisons in said Territory, and the manner persons are held, treated, and employed therein, and the governor shall make rules and regulations for the imprisonment and keeping of persons in the jails or other prisons; and he is hereby empowered to remove the wardens and keepers of all prisons and jails, or other officers connected therewith, and to appoint others in their stead, so often as, in his opinion, the public good shall require it.

Sec. 31. That all acts and parts of acts of the United States inconsistent with the provisions of this act are hereby repealed; no bill shall become a law without the approval of the governor of said Territory; and all acts and parts of acts now passed, or that may hereafter be passed, by the governor and legislative assembly of said Territory of Utah, inconsistent with the provisions of this act, are hereby declared null and void; and it shall hereafter be unlawful and a misdemeanor for any persons in said Territory, claiming or pretending to be members of the legislature of so-called State of Deseret, to assemble together as such legislature, and for the purpose of transacting any business as such; and no election shall be held or had for any member of said pretended legislature, or any officer under said so-called State government; and any member of the legislative assembly of said Territory who shall presume to act in any manner as a member of the pretended legislature of the State of Deseret, or shall join or voluntarily be present at any meeting of members of such pretended legislature, shall cease to be a member of said legislative assembly, and shall henceforth not act as such.

(SPECIAL TO THE DESERET NEWS.)

By Telegraph.

CONGRESSIONAL.

SENATE.

Edmunds introduced a bill to punish stock gambling by public officers; it prohibits all persons employed in the treasury department, or the collection or disbursement of the revenue, or as disbursing officers, clerks or agents, in any department of the public service from speculating in stocks, bonds or gold. It imposes penalty, fine or imprisonment, or both, and makes the persons who assist government employees in such speculations also liable to penalties, and gives informers a reward of five hundred dollars.

Conklin's resolution offered yesterday, directing the committee on retrenchment to inquire into the charges of Schurz in reference to the New York custom house was then taken up. Schurz offered an amendment, specifying various alleged abuses and frauds for particular investigation, and directing an inquiry as to whether the officers or employees of the custom house have used their influence to control either of the last Republican State conventions of New York, and whether the employees have been assessed for political purposes.

Bayard offered an amendment directing inquiry as to whether any of the officers of said custom houses have been or are being used as instruments for political or party patronage. All the amendments were accepted by Conklin, and the resolution then passed by a unanimous vote.

Sumner gave notice that he would propose an amendment to the constitution, providing that the President shall be ineligible for re-election.

Conklin called up the resolution inquiring into the charges against the New York Custom House; the resolution with amendments passed, yeas 57, nays none.

HOUSE.

Among the bills introduced, and referred are the following by Arthur, to abolish export and bonded warehouses for tobacco and snuff, and also for the repeal of the special tax on manufacturers and dealers in tobacco and cigars; by Blair, Mo., to legalize polygamous marriages in Utah and to dismiss all criminal proceedings in Utah against polygamists; by Taffe, for the admission of Utah as a State.

GENERAL.

WASHINGTON, 18.—A bill was introduced by representative Poland, today, on behalf of the incorporators, John F. Miller, Gen. G. Fargo, Paul Stafford, Perry, McDowell, Collins and others, commissioners on the part of the United States, to open subscription books for two ocean telegraphs, one from the western coast of the United States to China and Japan, and the other from the Atlantic coast to Europe, by way of the Bermudas and Azores, or by any other way that may be approved by the President. The stock of the Atlantic Company is fixed at \$8,000,000, and of the Pacific company at \$12,000,000. The bill was referred to the committee on foreign affairs.

HAVANA, 18.—Signor Gassier, the well-known baritone, died to-day of vomito.

ANNAPOLIS, 18.—In the Wharton case to-day, Lewis Ketchum was called, and fully corroborated the testimony of Charles L. Ketchum with regard to Mrs. Wharton's claim of having paid the note for \$2,600, and having given to General Ketchum bonds for conversion, Mrs. Van Ness, wife of Eugene Van Ness, testified to being at Mrs. Wharton's, nursing her husband, and to Mrs. Wharton coming to her room in the night in search of paregoric given to General Ketchum. She also testified to making a milk punch for her husband and to the discovery of a sediment in the tumbler which had been set in a refrigerator with a portion of the punch in it, and to the taste left in her mouth after sipping it. Paymaster Gen. Brice testified to having long known Ketchum, to his uniform robust health and his regular and careful habits. He had never seen any change in his vigor, or in the clearness of his mind. He detailed the circumstances of the visit of Mrs. Wharton with James and Charles Ketchum to his office in reference to the bonds claimed to have been given to Gen. Ketchum for negotiation; his testimony supported that of the witnesses in regard to the above. The Attorney General stated that he would close the case for the prosecution tomorrow.

The small pox is spreading in Jersey city, Hoboken, Newark and Trenton, and special hospitals for the patients are being assigned in those places.

ANNAPOLIS, 19.—The most important testimony in the Wharton case to-day, was that of Gen. Geo. D. Wise, of Baltimore county, who testified to Mrs. Wharton coming to him after the death of Ketchum, desiring him to accept her note for \$7,000, as she wished to raise funds to go to Europe. In reply to his question how she would meet the note, she said with her income, which was \$11,000 a year. She claimed to have bonds and real estate, but said she had promised her uncle, whose heir she was, not to hypothecate her property. Witness testified her manner as incoherent and wild, so much so that he did not think her entirely sane.

HAVANA, 19.—Gassier was buried with great pomp. Tamberlick, the well-known vocalist, made a feeling speech at his funeral.

ATLANTA.—Smith, Democrat, is elected governor to fill the place of Bullock. The Republicans took no part in the election, which was the quietest ever held in the State.

TORONTO.—The ministry has resigned. The Attorney General has announced that he will only remain in office till his successor is appointed.

SAN FRANCISCO, 21.—It rained heavily up to 10 last night, and will long be remembered as one of the wildest storms ever experienced in San Francisco. The rain poured down in torrents nearly all night, and the wind at times blew a hurricane, prostrating fences, sheds and trees, and doing heavy damage in many fine residents, by bursting in large plate glass windows and flooding the premises with water. It is feared the ship *Dominion*, which was blown away from the wharf has gone ashore north of Yerba Island. The troops on board for Colorado returned, unable to face the storm. The barometer is now rising, and there are indications that the storm is clearing off. The wind is falling rapidly. For the 24 hours ending 8 a.m. to-day, the rain fall was 4.17.100 inches, being one of the heaviest ever known. Since 6 p.m. on Sunday the rain fall amounted to 5.61.67.000 one-hundredth inches, making the total for the season to date 9.61.67.000 one-hundredth inches beyond the average of the rainy seasons. It will be some hours before the extent of the damage is known to shipping &c.

ANTIOCH, 19.—Eight inches of rain has fallen here up to date, and it is still raining hard.

SAN JOSE, 19.—The storm continues, with no indications of ceasing. No such storm has been known for ten years. The Cayote is full, and all the western part of the city is overflowed by the Guadalupe and Los Gatos. Eight houses were washed away this morning. Many residents are in great distress. The embankment of the railroad between Guadalupe bridge and the depot is disappearing rapidly. The farmers are jubilant.

VIRGINIA, 7 p.m.—It is raining hard. The Virginia and Truckee railroad has been washed away for one hundred yards, two miles south of Reno.

The Pacific Railroad Company have announced that they will dispatch a steamer daily from Front street for Sacramento, via Vallejo, at 8.30 a.m., connecting with the overland train at Sacramento, till further notice.

GILROY.—The storm has done great damage. The streams are all over the banks, many bridges and culverts have gone. It is reported that the railroad bridge cross the Comeredo has gone and the road is badly washed between here and Sargent. The Pokoro river has risen 20 feet, carrying off bridges. The lower part of this town is flooded.

SAN FRANCISCO, 22.—The Revenue Silver Mining Company, to operate in Hualapa District, Arizona, with a capital of \$1,000,000, incorporated to-day.

The schooner *Carolina Madia*, which was ashore at Fort Point, was got off to-day, but is water-logged and in a bad condition; she tried to enter Santa Cruz, but could not make the port.

The Ophir has levied an assessment of two dollars a share.

NEVADA CITY, 21.—On Tuesday the dam of North Bloomfield, Ill. Co., broke and the immense body of water drowned four persons, employees of the county, and destroyed much valuable property.

VIRGINIA, 21.—The storm has subsided and the weather is clear and cold now, the wind is north. Considerable damage has been to buildings by falling walls, leaking roofs, &c.

The Carson river is reported higher than it has been since 1863, and mill property is much damaged. The Nivan mill is washed away, the Santags mill is in danger. A large amount of tailings has been washed away. A portion of the towns of Dayton and Eluyra City are flooded.

THE MORMONS.

EDITOR MISSOURI REPUBLICAN:—I confess, as an individual, as an attentive reader and admirer of the *Republican* for thirty years past, to no ordinary surprise at the sentiments of an editorial in your issue of the 29th ult., referring to a sermon telegraphically announced to have been delivered by Orson Pratt, in Salt Lake City, last Sunday week. Such epithets as "stubborn fool," "blatant apostle," "madness," "monstrosity," &c., in my judgment, are not only ill-timed and out of place, but also beneath the tone and dignity with which the staid *Republican* is wont to treat even its opponents.

That the excitement throughout the country on the subject of polygamy is already high, cannot be denied. Allow me to ask you, Mr. Editor, what caused the "excitement" in 1833-4, when the handful of Mormons there settled were driven from Jackson county, Missouri? It could not have been polygamy; for polygamy was then unknown in Mormonism. Again, permit me to ask, what caused the "excitement" at Nauvoo, resulting in the massacre of the Smith brothers? Polygamy was not charged against them. The cruel repetition of these outrages by mobs has become history, and the dark record reveals the fact, startling as it may now sound in our ears, that in every instance the leaders of the mobs offered the alternative of security to all who would renounce their religion! Mr. Buchanan's crusade of 1857-8 had no polygamy in its catalogue of offences. Now, to brand polygamy as the real cause of the present "excitement" we must utterly ignore the record of the past.

Plainly, then, the inference is, the Mormons having recuperated to a degree at all enviable or indicative of success, there would have been great "excitement," with its direful accompaniments, had polygamy formed no integral part of their religion. The irresistible conclusion, from the facts before us, is that the "excitement" is not against the people of Utah as men and women, or their practices, but against their religion.

Now, Mr. Editor, is it not clear that compromise would in no wise mend the situation, were the Mormon people even

disposed and competent to make the compromise or "half-way point" you considerately propose? You cannot therefore, in justice charge Orson Pratt, while declaring that the Mormons will not abandon polygamy, with "being anxious to achieve the honors of martyrdom, or the pleasures of persecution."

You would have the Mormons "call a convention and frame a constitution which shall contain a clause forbidding the further extension of polygamy after a certain date, and then ask admission into the Union." Would you by this imply that congress would rather admit a body of perjured hypocrites than Utah as she is to-day, in point of social, moral and political purity, without reproach? If it is not, it should be well known to the whole world that when the Mormons compromise away polygamy they compromise Mormonism. As well might you ask of the devoutest Christian in the land to surrender his trust in a crucified and risen Jesus.

But, sir, the Mormons have walked the plank of compromise from Fayette, N. Y., to Hiram; thence to Kirtland, Ohio; to Jackson, thence to Clay, Caldwell, Carroll, Daviess and Ray, Mo.; thence entirely out of the State, across the Mississippi to Nauvoo, Ill., thence through Iowa beyond the Missouri to Winter Quarters and to the desert of America, uniformly reaping the reward in robbery, plunder, confiscation and death. Their forty years journeyings in the wilderness of the American frontiers have furnished irrefragable proofs that their bright "Canaan" does not lie in the direction of compromise, even with the alternative of "unqualified submission or wholesale expatriation."

But "the government has committed itself to a line of policy from which it cannot retreat altogether without sacrificing the national honor." I solemnly protest that, if to vindicate the national honor it be required to enter the sacred precincts of conscience, to combat the marriage of the holy patriarchs and prophets, through whom came the word of God; to institute the alternative of rejecting God's command or disobeying the authority of the government, to recede to the proscription of the priest-ridden monarchies of the old world, from the tortures of which our Puritan sires sought an asylum on American soil; and to indorse, confirm and intensify the mobbing, drivings, robberies and murders of the past by a combined, formidable crusade against us in the name and by authority of the government, then, as a free-born American citizen, I say the national honor is not worth vindicating. The very means will defeat the end and anarchy will follow proscription; the constitution trampled in the dust, popular government will appear a huge failure.

The immediate result of the harsh measures proposed may, for the time, discommode the Mormons; but they are not in any degree despondent as to the outcome. If to gory graves the conflict beckons them, they will be welcomed as the portals to a rapturous paradise and reunion with the blood-washed martyrs of Jesus who have preceded them, and the fires on the altar of liberty, rekindled by the shock, will again begin to burn as in the days of purer patriotism!

The Mormons, now, are soberly informed that if they do not give up their polygamy, they must either flee or be exterminated. The truth is, the Mormons do not for one moment believe that if by their assent they could annul the practice, it would make the least perceptible improvement toward them in the attitude of their enemies. If, therefore, it be true that our own glorious and magnanimous government has finally determined to assume in Utah the generalship in the persecutions begun by border ruffians in Ohio, Missouri and Illinois, unquestionably the work of subjugation and recantation will be conducted on a scale of far greater magnificence than that of the past; but alas! the deplorable results I have already foreshadowed. The God of battles has decreed that those who fight against Zion shall oecome as the small dust of the balance!

When the immortal Henry saw the clanking chains of bondage, so long by British minions forging, ready to be bound and riveted upon the colonists, he exclaimed, as I do this day: "Is life so dear, or peace so sweet as to be purchased with chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!"

JAMES MCKNIGHT.