

ances that belief can be created. The ideas that prevail in regard to "Mormonism" are ridiculous enough to bear their own relation, if people who entertain them would only examine them in the light of common sense. It is profound conviction of the infamy of the system vulgarly called "Mormonism," which influences the Latter-day Saints in all their movements individually and collectively, and thus cannot be changed by force any more than it can be created by compulsion. The Standard says concerning it: "Such an organization as this, if ever grows to large importance, will be a dangerous thing to have the republic, for it is an enemy to the walls, intent upon its own ends, regardless of others and unscrupulous discipline and direction, with no divisions within itself, as make most effective assaults upon institutions."

This is the bugbear that politicians set up to frighten the country, giving them control in Utah. The union of the "Mormons" is dangerous to a great country with fifty millions of people! The possible assaults of this little community upon the institutions of the nation are so great and so to be prevented by national power! What a confession of the weakness of established institutions and of the moral force of the country! But is the union of the Latter-day Saints wrong in principle or unlawful in practice? Why is it the very thing that all parties gain in theory. Democrats use the eloquence at their command as well as the power of "the machine" in politics, to unite every Democrat in support of the measure. The men of the party. The Republicans do the same thing. And that which they urgently want themselves becomes "dangerous" when gained by other people. It is all for Republicans, but all wrong Democrats and positively dangerous for "Mormons," and must be put down by the absolute power of Congress over the Territories. What for? Simply and entirely to hand over a rich territory into the grasp of a few greedy politicians on the people, left to their own selfish liberties, would never put in power by the popular method of ballot. Let the Standard and others interested make a note of

**EDMUNDS BILL.**

The proceedings in the United States House of Representatives, on the 13th and 14th inst. over the Edmunds bill, as reported in full in the Congressional Record, are not at all creditable to the promoters and supporters of the measure. They show only a determination to muzzle opposition and prevent investigation. The chief advocates of the bill admitted its imperfections, and did not deny the charges against lack of harmony with republican institutions.

But not only were the champions of the bill censurable by fair-minded citizens. Many who perceived its incongruities and oppressive provisions, failed to stand up for what they believed to be right, and to record their votes against that which they knew to be wrong. On several questions that were tested during the squabble—it cannot be dignified with the title of a debate—from nineteen to one hundred and forty members are recorded as "not voting."

The main point of discussion on the 13th inst. was on a point of order raised by Mr. Converse, of Ohio, which was that the bill ought to be considered as in Committee of the Whole because it provided for officers whose salary would have to be paid out of the Treasury of the United States. The rule under which this question was taken is as follows:

All motions or propositions involving a charge upon the people; all proceedings touching appropriations of money or property, or requiring such appropriation to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, shall first be considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

In support of his point of order Mr. Converse said:

I desire to call attention to the fact that I bill now before the House on the Speaker's table provides for the appointment of

five commissioners, who are to be appointed by the President of the United States, with the advice and consent of the Senate. Their salary is fixed in the bill at \$3,000 each per annum. The bill provides what duties they are to perform. They are to register the voters in that Territory, to conduct the election there, to count the votes, and to give certificates of election, which certificates are to be final. It was suggested by some one the other day, when this subject was up, that this bill did not provide for the payment of these commissioners out of the treasury of the United States, but it was intimated that the salaries were to be left to be paid out of the treasuries of the Territories. I hardly think, sir, that such a position will be seriously maintained, or such a claim seriously advocated, for the reason that the Government of the United States certainly cannot appoint officers and fix their salaries unless the Government itself expects to pay the salaries.

The commission is created and its duties are prescribed by a law of Congress. The salaries are fixed by a law of Congress, and of course the Government has no power to authorize or require their payment out of the treasury of the Territory.

Mr. Converse had read by the Clerk a ruling of Speaker Blaine's on a similar question, in which he decided that the bill was unquestionably liable to such a point of order. It was on a Utah bill, which never became a law, providing for new officers and consequently for a new appropriation to pay them; although provisions therefor were not specially made on the bill.

The effect of considering the Edmunds bill as in Committee of the Whole would have been to throw it open to free and full debate and amendment. But the determination of Mr. Haskell, of Kansas, who had charge of the bill, and of the Republicans who supported him, was to gag the House and prevent all discussion. He therefore opposed the reference to the Committee of the Whole and every other movement giving room for amendment to the bill. He took the ground that the officers to be appointed by the President would be Territorial and not Federal officers, and that their compensation would come out of the Territorial Treasury. He designated them "election officers," said they were to take the place of other Territorial officers, that Congress in passing this measure was sitting as the Legislative Assembly of the Territory of Utah, and could make any laws it pleased, appropriating money out of the Territorial Treasury or otherwise.

Mr. Springer made an able speech to the contrary, and in the course of his remarks said:

The election officers in Utah will derive their existence from the board of commissioners to be appointed by the President, by and with the advice and consent of the Senate. I hold that those officers are Federal officers. They are created by law of Congress under the Constitution of the United States. They are to be appointed by the President, who has authority to appoint officers of the United States, and who has authority to appoint no other kind of officers. They will be entitled to be paid out of the treasury of the United States; they will not be paid at any other place, for I do not understand that we are providing an expenditure to be paid out of an appropriation made by the Legislature of Utah. If that Legislature shall refuse to make an appropriation, even assuming that there is an obligation on them to provide for the payment of these officers, who will pay them? They must be paid by some one. I hold that they can sue for their salary in the Court of Claims and recover it whether Congress makes an appropriation to pay them or not.

Mr. Carlisle admitted the power of Congress to provide for the payment of those officers out of the Territorial Treasury, but contended that this bill made no such provision, and that if the Utah Legislature did not provide for the payment of those officers they would have recourse on the United States, and therefore the bill came under the rule in relation to the Committee of the Whole.

Members Camp, Robeson and Reed contended that these were territorial officers, and that the bill created no appropriation from or indebtedness against the United States.

Mr. Hooker showed that in express terms the bill provided that these officers shall be appointed by the President and confirmed by the Senate, and that they were only to continue in office till the Legislature turned them out, and therefore they were certainly Federal officers, to be paid by the United States. Mr. Randall remarked:

Mr. Speaker, there are two questions involved in this controversy: First, are the officers provided for by this bill Federal officers? That will hardly be disputed; I do not think it has been contended in the course of the debate that they are not. The provision is that they are to be appointed by the President by and with the advice and consent of the Senate. The second question is, are they to be paid out of the Treasury of the United States, or out of the Treasury of Utah? The bill does not contain any provision directing their payment out of the treasury of the Territory. These being Federal officers, the question therefore arises, on whom will they have a claim for payment; and does the provision of the bill come within the letter and spirit of the third clause of Rule XXIII? That clause provides that "all motions or propositions involving a charge upon the people" shall be first considered in Committee of the Whole. What is a "charge?" It is the creation of an indebtedness against the United States; and

I submit that if the Federal authority creates officers and toasts them upon the Territory it is bound to see that they are paid; and their claim is a charge against the people of the United States.

Moreover, in the same direction I submit the Congress of the United States has no power to force the Territory to pay these officers. This question has arisen before in instances where the Territories have refused to pay officers created by Congress, notwithstanding the Act of Congress declared that they should be paid by the Territory, and claims for compensation of such officers were presented here in the Forty-fourth Congress.

Now we are not to look at this rule technically, nor should we wrench the rule to escape the point of order; but we should put a common-sense construction on it. If this is done, there cannot, it seems to me, be a doubt in the mind of any one that those officers being created by this bill, and there being a total absence of any direction that they are to be paid from the treasury of the Territory of Utah, their payment becomes a claim, a "charge" against the United States. If this bill be enacted into law, they will in the future come here to be paid. Why, sir, the gentleman from Kansas (Mr. Haskell) himself has conceded the fact that future legislation is necessary to define how and from what treasury these officers are to be paid. If no future legislation is had, therefore they will come here as claimants. Hence the creation of these officers is clearly within the letter and spirit of the rule.

Mr. Maginnis, being asked as to the universal custom in the Territories in regard to officers appointed by the Government, said:

If reference is made to the past, there never has yet been a man appointed by the President and confirmed by the Senate to an office in the Territories who has not been paid out of the Treasury of the United States, and in my judgment there never can be.

The Speaker, of course, ruled against the point of order, when Mr. Converse took an appeal from the decision. But Mr. Haskell moved that the appeal be laid on the table, and the yeas and nays being called, 119 voted to lay it on the table, 80 against the motion, and 93 would not vote. Divisive motions were then put with similar results, and finally, motions to adjourn having been voted down, a recess was taken till the next day, which was to be considered only as a continuation of the sitting of the 13th inst.

There was one point in connection with this discussion which neither side seemed to understand; that is that there is no provision for the payment of election officers out of the Territorial Treasury. It was claimed by Mr. Haskell that our territorial laws provided for the compensation for all such officers, and he argued that it would necessarily follow that these Commissioners would be paid their \$3,000 per annum from territorial funds. No one seemed to be sufficiently familiar with the facts to put the matter right.

The act of the Utah Legislature of 1853 to which Mr. Haskell referred provided that:

"All officers acting in elections shall be allowed a reasonable compensation for their services etc."

But that act has been superseded. The registration law of 1878 makes special provision for the compensation of the registration and election officers, which is to come out of the county funds, not from the Territorial Treasury. Election officers have always been paid by the counties. And there never was such an office in this Territory as that contemplated in the Edmunds bill. Those five Commissioners are not either registration or election officers under the laws of the Territory; they are Commissioners appointed by Federal authority for duties prescribed by the general Government, and will have to be paid just as the Governor, Secretary, Judges, Marshal and other Federal officers appointed to perform duties under the laws of the Territory, for they do act under those laws as well as under the laws of the United States, notwithstanding the statement of Mr. Haskell to the contrary.

If the Commissioners never get any other pay than from the treasuries of the counties, we are of the opinion that their offices will be very unremunerative. If they are to be paid in the way pointed out by Haskell and Co., that is as election officers under the territorial laws, which county is to be saddled with the burden of \$15,000 per annum? The proposition is absurd, and could only have been entertained for the purpose of preventing the bill from being considered in Committee of the Whole. It is evident from the entire proceedings that the supporters of the bill were afraid of daylight being let in upon it in the House of Representatives. Consideration of the proceedings on the 14th inst. will have to be postponed till another day.

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**NOTICE FOR PUBLICATION**

LAND OFFICE AT SALT LAKE CITY, UTAH. March 18th, 1882.

NOTICE IS HEREBY GIVEN THAT THE following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Land Office, at Salt Lake City, on April 26, 1882, viz: William A. Thomson, for the S. half S. E. one-fourth Sec. 20 and N. half N. E. one-fourth Sec. 21, T. 1 N. 1 W.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:

William A. Barron, of Salt Lake County, Utah; James Gillespie, of Salt Lake County, Utah; James Thomson, of Salt Lake County, Utah; Christopher J. Thompson, of Salt Lake County, Utah.

w81 H. McMASTER, Register.

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**NOTICE TO CREDITORS.**

ESTATE OF JOHN VANCE, DECEASED.

Salt Lake City, Utah Territory.

NOTICE IS HEREBY GIVEN TO ALL the creditors of the late John Vance, deceased, and those having claims against his estate, to present and exhibit them with the necessary vouchers within ten months after the first publication of this notice to the undersigned administrator of the estate of the said John Vance, deceased, at the residence of said administrator, on Sixth South Street, between East and West Temple Streets, in Salt Lake City, Salt Lake County, Utah Territory; and if said claims are not presented in the time required, they will be forever barred.

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**NOTICE FOR PUBLICATION**

LAND OFFICE, AT SALT LAKE CITY, U. T., March 24, 1882.

NOTICE IS HEREBY GIVEN THAT THE following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver at Salt Lake City, on April 8th, 1882, Homestead Entry 2904, viz: James Gillespie, Salt Lake County, Utah, for the S. half of S. W. quarter of Section 28, T. 1 N. of R. 1 W.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:

James Thompson, of Brighton Ward, Salt Lake County, U. T. Amos Thompson, of Brighton Ward, Salt Lake County, U. T. Stanley Taylor, of Brighton Ward, Salt Lake County, U. T. Robert Hazen, of Brighton Ward, Salt Lake County, U. T.

H. McMASTER, Register. w85t

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