

GEORGE Q. CANNON,
EDITOR AND PUBLISHER.

Thursday, March 24, 1870.

ACTION BY THE HOUSE ON THE
CULLOM BILL.

AFTER the EVENING NEWS went to press yesterday we received the following dispatch from our Delegate in Congress, Hon. Wm. H. Hooper:

"Bill passed the House with the eleventh (11) fourteenth (14) thirtieth (30) thirty-first (31) and thirty-second (32) sections left out."

By reference to our telegraphic dispatches in another column, further particulars will be found respecting the debate. The bill passed, with these sections stricken out, by a vote of 94 to 32. The sections which have been left out read as follows:

Sec. 11. And be it further enacted, That in prosecution for bigamy, concubinage, or adultery, the lawful wife of the accused shall be a competent witness to prove both the first and subsequent marriage or marriages of her husband, but for no other purpose.

Sec. 14. And be it further enacted, That the statutes of limitations shall not bar a prosecution for any of the crimes specified in this act, nor for the crime of bigamy, concubinage or adultery, hereafter committed.

Sec. 30. And be it further enacted, That upon complaint made in writing, upon the oath of some person of full age, to a district or probate court of the said Territory, or to a judge of either of said courts, that any person has been convicted before a court of said Territory having jurisdiction thereof, of the crime of bigamy, polygamy, or of any adulterous or incestuous marriage, or of any other crime prohibited by this act or any other law of the United States; and that such convicted person has a wife or children, whether such children be legitimate or not, or woman or women, or concubine or concubines, with whom he has lived or cohabited, or claims as a wife or wives, dependent in whole or in part upon said person, and that such convicted person has property, real or personal, or both giving the value thereof as near as the affiant can estimate, and where the same is situated. Said court or judge, upon the receipt of said complaint, shall, by order, refer the matter contained in said complaint to some competent officer of either of said courts or some competent attorney of said courts duly licensed to practice therein, to take proof of the matter set forth in the said complaint, and report to the judge or court making the order the facts found by said officer, and the said officer, before entering upon the duties assigned him, shall make, subscribe, and swear to an oath in writing that he will in all things faithfully discharge his duty and make true report as said referee, which oath shall be appended to his report to the court or judge. That said referee shall cause notice in writing of not less than ten or more than twenty days to be served upon the person or persons having possession of the property, real or personal, of the person so convicted (if any person or persons has such custody or possession) prior to the day of the reference, fixing the time and place of such reference, and stating the object thereof. That instead of referring the matter as herein directed, the court or judge may hear the matter and give the notice aforesaid. That before the court, or judge, or referee, as the notice shall direct, the party complaining may appear in person, or by attorney, and give proof of the facts set forth in the complaint, and the person convicted may appear by attorney or said referee, or the person in possession of the property aforesaid, upon whom said notice is served, can also appear in person or by attorney, and contest and give evidence tending to disprove the facts set forth in the complaint, and the wives, concubines, or persons with whom the person convicted cohabited as aforesaid shall be competent witnesses to establish the matter set forth in the complaint, and it shall not be necessary to prove any marriage of the person convicted, by registration, certificate, or other recorded evidence, and marriage can be proved in the same manner as is permitted by the thirteenth section of this act in prosecutions for bigamy. That if upon such hearing by the court or judge, or upon the report of a referee, the court or judge shall find and judge that the facts stated in the said complaint are true, the court or judge shall have power, and is directed from time to time, to order the sale of so much of the personal property aforesaid as shall be needed for the support and maintenance of the wife, concubines and children aforesaid, until such time when such persons can procure labor or means to support themselves; and when the personal property is exhausted, or in default thereof, the said court or judge shall in like manner order the sale of the real estate. That such sale shall be by public auction, in the day time, and upon notice; in case of personal estate, ten days, and of real estate, thirty days. That the chief justice of the said Territory shall make and publish general rules providing for the sale of property, and the notice of such sale not inconsistent with this act, as may be just and necessary to secure a fair sale of the said property, and to prevent fraud, and of real estate, when the court or judge shall order a sale as hereinbefore provided, he shall also, by order, appoint some competent and trustworthy person receiver of the property and effects of the person convicted, or so much thereof as he may deem necessary. That said receiver, upon receipt of such order, shall take the faithful discharge of his trust as the said chief justice shall by general rules also prescribe in such cases, shall take possession of the property embraced in said order, and sell the same as hereinbefore directed, or make such disposition of the same as the court or judge before whom the proceedings were instituted, and not inconsistent with this act, shall direct. That whenever it shall appear to either of said courts, or a judge thereof, upon complaint on oath by a person of full age as aforesaid, that any person has fled from the Territory or disappeared from his place of residence, and cannot be found, or that such person has fled, and such person has left a wife, or concubine, or person with whom he cohabited or claimed as wife, or child or children, either legitimate or illegitimate, dependent upon him for maintenance and support, and that he left or has fled, or disappeared, or in all respects to sell and dispose of the property of such person, to take proof of the facts, and in all other matters connected therewith as in the case of a person convicted as aforesaid. If at the time any complaint is filed, as provided in this section, or any time thereafter, it shall appear to the court or judge that there is danger of the real or personal property sought to be resolved by proceedings under this section being lost, removed, secreted, sold, assigned, or otherwise disposed of, the said court or judge shall issue an attachment, directed to the sheriff, or an assistant marshal, of said Territory, directing him to seize, and take into his custody, the property aforesaid, or such portion

thereof as the court or judge shall direct, and to hold the same until such proceedings are discontinued or the property is transferred by the order of the court or judge to the receiver appointed as aforesaid. After such attachment is levied, or after notice, as prescribed by this section, of the hearing by the referee or court of the matter stated in the complaint is given, no sale of either of the property of the person aforesaid, or of the property attached, shall be valid or effectual, except in pursuance of said proceedings, and all sales made in pursuance of this section shall confer title of the property sold in the purchaser thereof. If, at the time or at any time after the facts in the complaint stated in this section are judicially established as herein provided, it shall appear to the court or judge that a sale for a fair price of the property, real or personal, as contemplated herein, cannot be had, or it shall be, in the judgment of the court or judge, best for the interest of all parties interested, to assign for such temporary use as may be needed, to the persons sought to be benefited by this act, the whole or any part of the real or personal property aforesaid, to be distributed among the beneficiaries as shall be required by their several necessities, the court or judge shall make an order to that effect, assigning specifically the property to the use of the person to be benefited thereby, and designating the length of time that the property shall be so used, which shall in no case exceed two years; and the receiver appointed in the case shall see that said property is properly used and not injured, wasted, or destroyed, more than the natural wear thereof. And any disposition by the party owning said property to interfere with the use aforesaid shall be void. The chief justice of said Territory shall make and publish such rules and regulations prescribing the fees for execution of the provisions of this act, with reference to sale, use, or other disposition of property, to be paid to the several officers engaged in the execution thereof, (but the judge or court before whom the proceedings are taken shall be entitled to no fee,) as shall be just and reasonable, and the fees in each case before him, and said fees shall be collected out of the property attached, assigned, or sold, and collected out of the person or persons, if any, and if none, or there is not sufficient, out of the real estate. When proceedings under this act are commenced before one court or judge, such court or judge shall have exclusive jurisdiction of the same until the final termination thereof, except that for cause shown the chief justice of said Territory can by order remove the said proceedings before any district court or judge, or before himself, and continue the same before such other officer or tribunal.

Sec. 31. And be it further enacted, That the Secretary of the Treasury is hereby authorized and directed to afford temporary relief to destitute persons in said Territory as cannot be relieved under the last section, and who are not convicted of crime and are reduced to destitution by the enforcement of the laws against polygamy, as in his judgment may be necessary and proper, to an amount not exceeding \$100,000; and he may prescribe and enforce such rules and regulations to obtain correct knowledge on the subject, and to carry out the purposes hereof, as he may deem proper and necessary.

Sec. 32. And be it further enacted, That the President of the United States is empowered and directed, when in his judgment it shall be necessary to enforce the laws of said Territory, or the convictions and sentences of the courts thereof, to send such a portion of the Army of the United States to said Territory as shall be required therefor, and in case a sufficient portion of said Army cannot with safety be detached from duty in other portions of the country to accomplish the same, the President is empowered and directed further to accept and receive into the military service of the United States volunteers to the number of not exceeding forty thousand, and for such term of service as he may deem proper, not exceeding two years. And the Secretary of War is directed and required to make such rules and regulations for the movement and transportation of the troops and the enlistment of volunteers as shall be necessary.

The striking out of these sections takes from the bill several of its most repulsive features. They were too strong for Congress to swallow. But what are left were too hateful, in the opinion of many, to be voted upon affirmatively by the House. There is no knowing, however, to what lengths men will go in opposition to the gospel of Jesus Christ and its followers. In past ages they crucified the Son of God as a common malefactor; they burned, stoned, beheaded, sawed asunder, hanged and killed in various ways His Apostles, Prophets and Saints. In our own day they have cruelly murdered Prophets, Apostles and Saints, and mobbed and driven those whom they did not kill into the wilderness, far from the abode of so-called civilized men, to perish, and all for believing and practicing the pure principles of the gospel of the Son of God. Can it be supposed that a generation which is capable of committing these foul and inhuman deeds will hesitate at reenacting these scenes of violence? Those who entertain this idea have not rightly understood the spirit of the times, the wickedness of the world or the nature of the contest that was inaugurated by Satan when the Church of God, the everlasting gospel and its gifts, and the Holy Priesthood were restored to the earth. Any one who imagines that this warfare will cease before one or the other—God or Satan—is mistaken, will find that he is mistaken. But certainly no Latter-day Saint should delude himself with any such notion. Every one ought to understand what he may expect. If the ancients were willing to endure all things for Christ and the eternal reward which He has promised, surely those who expect to partake of the same glory and to sit down at the right hand of the Father with him and His faithful disciples, should not flinch at the prospect of persecution or even death. Jesus said:

"Think not that I am come to send peace on earth: I came not to send peace, but a sword."

He also added:

"He that loath his life for my sake shall find it."

The Cullom bill is no worse a measure, therefore, than we might expect to be leveled against us. If worse measures than this is, be not adopted against the Latter-day Saints before they get through, then we think they will have a tolerably easy time.

Many have thought that the House would never pass this bill in any form. We confess that we were not confident upon this point. It took a little time to get men so calloused in their feelings and so blind in their perceptions as to pass what is known as the anti-polygamy Act of 1862. At first it shocked the moral sense of the people. It was a clear invasion of the Constitution, and in direct contravention of its principles. But continual dropping, it is said, will wear away a stone. The consciences of members of Congress, became sufficiently deadened at last, and the measure passed. This seems to be the case with the Cullom Bill. The House, after striking out five obnoxious sections, have passed it. It now remains for the Senate to take action upon it. That body may reject it, may alter it, or may pass it as it is. We cannot, of course, say what the Senate will do with it; but this we can say that, if it pass, and then should receive the signature of the President and become a law, it will not meet the wishes nor answer the expectations of its authors.

Personally—and in this sense the writer means himself individually—we care not what action may be taken on this question. Persecute, pass outrageous, violent and unconstitutional laws, and what will all this accomplish? What have such measures accomplished? Persecution drove us from a township to several townships, from townships to a county, from a county to counties, and from counties to a Territory. It has made us strong, thrifty and fearless. The most valuable experience we possess to-day we gained through persecution. We do not dread its effects. We are too familiar with them, value them too highly to fear them. If men wish to push what is called "Mormonism" ahead—and in saying this it is with no disposition to bluff off our enemies—let them persecute it. Pass the Cullom Bill, and if this is not strong enough, let them pass other measures that they may think still more binding and oppressive. Let them raise armies, and attempt to fight, drive and exterminate the Latter-day Saints, and then watch the results.

The Cullom Bill has only passed the House yet; what we say, therefore, now is not on the merits of the measure, or how it will be viewed by the people of Utah if it ever should become a law. If it should pass the Senate and be signed by the Chief Executive, we may then discuss its merits and its probable effects.

[SPECIAL TO THE DESERET NEWS.]

By Telegraph.

AFTERNOON DISPATCHES.

CONGRESSIONAL.

HOUSE.

The Cullom Bill—Sections Stricken out.

The consideration of the polygamy bill was resumed. After a debate by Sargent, Ward and Axtell, Schenck moved to recommit the bill, as containing provisions inimical to every principle of common law and sections under which war might be made. Walker moved to strike out sections 11, 14, 30, 31 and 32. Cullom opposed the strike out and avowed a desire to strike out the eleventh and amend the fifteenth section. Schenck's motion was rejected, 75 to 89, as was also the amendment by Fitch, to extend the provisions of the bill to all the States and Territories where bigamy, polygamy or concubinage is practiced. Walker's motion was adopted, and section eleven, making the lawful wife of the accused a competent witness against him, and the fourteenth, providing that the statute of limitation shall be no bar to a prosecution, the thirtieth authorizing the confiscation of the property of persons convicted, and the thirty-first, for the temporary relief of persons reduced to destitution by the enforcement of the act and the thirty-second, authorizing the employment of 40,000 volunteers, were all stricken out and the bill passed, 94 to 32, without yeas and nays.

NEW YORK.

Dispatches from San Domingo.—Man Murdered.—Bailey's search given up. Amnesty for Georgia and Texas.

NEW YORK, 24.—The regular steamer from San Domingo, which arrived here yesterday morning, brings a bearer of dispatches to the authorities at Washington, with further details of the election on the island.

Among the passengers by the steamer was Hartmont, who went out on her last trip for the purpose of making a tender to Baer of a hundred and fifty thousand dollars as a loan, upon negotiations through him with Lawson & Co., of London; he reports the positive refusal of Baer to accept the money, because of his obligations to this government, pending the treaty of annexation. The World's San Domingo correspondent writes that the vote in favor of annexation was large, but the government has apparently facilitated the stuffing of the ballot box by its agents, and that there is a strong feeling against Baer and the annexation in San Domingo, in spite of the reports in favor of the scheme.

As far as appearances on the surface, the active search for Bailey is practically abandoned, and, unless he is betrayed or voluntarily surrenders himself, it seems more than probable that he will not be seen again in this city.

The Tribune this morning says of the proposed measure recommending a general amnesty soon in Georgia and Texas, that it is a message which the country will gladly hail, and the result of which will be far-reaching and beneficial, and that the Senate should show its disposition to welcome the measure by at once admitting the only two States which remain unconquered.

TAHOE.—Maurice Vanderhede was murdered last night by three robbers, who went to his residence, near this city, for the purpose of robbery; they crushed in his skull with a bludgeon. Vanderhede's son-in-law fired a gun to alarm the neighbors, when the robbers fled. Vanderhede was a prominent wealthy citizen, and much excitement is caused by the tragedy.

WASHINGTON.

Land Case.

A decision was rendered by the Supreme Court, to-day, in the case of John H. Frisbie against Levi E. Whitney, on an appeal from the Supreme Court of the district of Columbia. The court below confirmed the pre-emption plea set up by Whitney, under the act of 1841, and subsequent acts in respect to certain lands in California. Frisbie brought the case here, contending that a legal title is in time under the act of 1863, by a patent from the United States. The question rested upon the construction of the acts of Congress, and this court finds that, by proper construction of these acts, the title is in Frisbie, and not in Whitney, notwithstanding any cultivation and improvements made by the latter under the pre-emption acts. A question of jurisdiction was also presented, it being urged that the courts in the district of Columbia had no authority in this question and on the merits of the case. The decision is for the appellant, judgment is reversed and the cause retained, with directions to dismiss the bill.

FOREIGN NEWS.

SPAIN.

Prin and the troops—Bond loan passed—The Bourbon case.

MADRID.—General Prin has issued orders to army officers and the Madrid garrison to obey no orders, except in extreme eventualities, unless signed by him.

In the Cortes, to-day, the Treasury bond loan bill passed by a vote of 129 to 79.

It is predicted, in some official quarters, that a verdict of accidental homicide will be given by the jury of inquest in the case of Prince Henri De Bourbonne.

Special Notices.

A BEAUTIFUL HEAD OF HAIR is rendered still more beautiful by the use of Burnett's Hair Dressing.

THE SWEETEST Perfume is Burnett's Florida Water. BURNETT'S Preparations are sold by all druggists, and are deservedly popular.—Cincinnati Commercial.

LADIES SHOULD USE Burnett's Kallistion to retain the bloom and freshness of beauty unimpaired.

JONAS WILCOX'S REMEDY FOR ASTHMA has acquired the reputation of being a sure specific in that dreadful disease.

The Best Ever Made.

"Can not use any other." "Never could use anything but this." "I tried yours." "My family will not use any other." "It is perfectly splendid." "I find it much cheaper than others." "Think it superior to any I have ever tried." These are a few of the many expressions in favor of BURNETT'S BAKING POWDER, which well deserves the rapidly increasing sale it has attained for making sweet, light and healthy biscuits, rolls, pastry, &c. It can be obtained at your Grocers.

NEW ADVERTISEMENTS.

BYASS' LONDON PORTER,
ARROL'S SCOTCH ALE, and
SANDS' CHICAGO STOCK ALE.

On Draught at

Salt Lake Billiard Room.

STRAYED OR STOLEN

FROM the residence of Dr. Ormsby, 14th Ward, on Sunday night, the 20th inst., a BAY HORSE, Had a halter on when lost. Any person returning the above horse to Dr. ORMSBY will be suitably rewarded.

BEES! BEES!

I WILL HAVE a few more colonies of the Common Bee for sale. Persons wishing them can have them by depositing twenty-five (\$25.00) dollars in Cash or Grain, with

BASSETT & ROBERTS,
Salt Lake City.
JAMES MCGAW,
Ogden, or to
F. MACDONALD, Provo.

By the time the Bees arrive.

MR. D. ROBERTS.

DINWOODEY'S

UPHOLSTERY AND FURNITURE
Manufactory,

1st. South Street, Salt Lake City.

Having purchased some New Machinery, I am prepared to plane Flooring, do Shaping, Circular and Tug Sawing, &c.

GREATLY REDUCED PRICES!

SALE ROOMS,

East Temple Street, Salt Lake City.
A large assortment of
HOME-MADE AND IMPORTED
FURNITURE
Constantly on hand

COFFINS,

PLAIN and ORNAMENTAL,

Always in Stock.

Z. C. M. I.

STANDARD OF EXCELLENCE!

The Several Departments of this
Institution are now

COMPLETELY STOCKED!

And the PRICES are

LOWER THAN EVER

DRY GOODS

DEPARTMENT.

GROCERY

DEPARTMENT.

CLOTHING

DEPARTMENT.

D R U G

DEPARTMENT.

Orders are now coming in for

MACHINERY

And those who intend Ordering or Purchasing, would consult their own interest

BY CALLING EARLY!

PLOWS,

HARROW TEETH,

CULTIVATORS,

REAPERS,

MOWERS,

THRESHERS,

H. B. CLAWSON.

Supt.

d36-1f

In the District Court of the Third Judicial District of the Territory of Utah, County of Salt Lake.

Hon. C. C. WILSON, Judge.

WILLIAM JENNINGS, Plaintiff,
Against
JAMES P. BRUNER, Defendant.

The people of the Territory of Utah send greeting to
James P. Bruner, defendant—

YOU are hereby required to appear in an action brought against you by the above named Plaintiff in the District Court of the Third Judicial District of the Territory of Utah; at the Court House in Salt Lake City, and to answer the complaint filed therein, said complaint being for the recovery of an account stated for the sum of \$4,570, together with interest, at the rate of ten per cent, per annum from November 11th, 1867, within ten days (exclusive of the day of service) of the service on you of this summons, if served within this County; or if served out of this County, within thirty days; or if served by default within forty days or judgment by default will be taken against you according to prayer of said complaint.

And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said Plaintiff will apply to the court for the relief demanded in said complaint.

Given under my hand and the seal of the said Court, this 18th day of March A.D. 1870.

S. A. MANN, Clerk.

NOTICE.

I WILL SELL the following described property at private sale, any one wishing good Lots or property, should call on me immediately.

TERMS CASH.

SALT LAKE CITY PLAT.

Lot 2	Block 38	Flat B
" 3	" 34	" "
" 2 & 3	" 37	" "

BIG FELD SURVEY, 5 ACRE LOTS.

Block 9	Lots 14, 15, 16
" 7	5, and 13

BIG FELD SURVEY, 1/4 ACRE LOTS.

Block 32	Lot 2, containing 10 Acres.
17	Lots 7, 8, 9, containing 30 Acres.

H. J. FAUST, Assignee.

for M. J. Suedaker.

Salt Lake City, March 1, 1870.

d32-1m

VIOLIN AND VOCAL MUSIC

PROF. GEORGE CARELESS

DEGS to announce to his friends and the public that he is now at liberty to take a FEW PUPILS in Singing and Harmony, and on the Violin.

Pupils will be taught Singing and Harmony, in classes, if desired.

For terms apply at his residence, 7th Ward.

d36-1f

JOS. C. GRUBB & CO.

No. 712 Market Street, Philada.

Wholesale Dealers in every description of

FIRE-ARMS:

Materials for the same, and

SPORTSMEN'S ARTICLES GENERALLY

d36-1f

SCANDINAVIAN STAR.

I AM authorized by Elder Jesse N. Smith to receive Subscriptions for the Scandinavian Star.

d32-1f

ROBT. L. CAMPBELL, Historian's Office.

THE FLORENCE

SEWING

MACHINE

IS THE

CHAMPION OF THE WORLD!!



Having the Celebrated

REVERSIBLE FEED!

AND

SELF-ADJUSTING TENSION!

Making the only reliable



Also the Double Lock, Single Knot and Double Knot Stitches, thus adapting it to do

LIGHT AND HEAVY WORK WITH
EQUAL FACILITY.

Hereafter all Machines will be furnished with

OUR NEW STOP MOTION

And cannot be run back ward.

After critical examination and practical tests the FLORENCE has been awarded the Highest Premium at all the following fairs:

Pennsylvania State Fair,
California State Fair,
Fairs of the American Institute, N. Y.
Paris Exposition,
Mechanics' State Fair, Worcester,
Middlesex Mechanics' Assoc'n, Lowell,
New York State Fair, Buffalo,
Maryland Institute, Baltimore,
Mechanics' Charitable Assoc'n, Boston,
New Hampshire State Fair, Nashua,
New England and Vt. Fair, Brattleboro,
New Eng. Agricul'l Fair, Providence,
Yorkshire Eng., Industrial Exhibition,
Manchester & Liverpool Ind'l Soc'y Ex.,
Kentucky State Fair.

In addition to which we have a verdict of

POPULAR APPROVAL

ALL OVER THE WORLD!

One Thousand Sold in January!

Thirteen Hundred Sold in February!!

Three Hundred Sold the first two days
of March!!!

Every Machine sold is a rapid and silent Missionary, teaching Industry by Example—Faith by Good Work.

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WILL DO

FINE TUCKING,

GATHER,

SEW ON BRAID,

BIND,

HEM,

FELL,

QUILT,

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SEW

Anything from a single tissue of linen lawn to six thicknesses of heavy cloth, and whether threaded for coarse homespun or fine linen.

"It works alike for rich and poor,
The humble and the proud."

Prices from Seventy-five Dollars upwards

EVERY MACHINE FULLY WARRANTED.

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