

ing, the most profound and important meaning that attaches to the law of marriage is the unity, the absolute identity of the husband and the wife; and for the same reason that a man can not be compelled to give testimony against himself, his wife, who is himself, shall not be allowed or compelled to give testimony against him in a proceeding against him of the nature indicated by this bill.

Mr. Morgan. And the Constitution recognizes it.

Mr. Bayard. It is in the Constitution, in the fifth article of amendments, which I know has been held applicable to the States in restraining the powers of the States to do this thing. In view of the recognition of the fact of the absolute unity under the institutions of matrimony caused by marriage of two individuals, the man and the woman becoming one, the power of the fifth amendment applies to the States, the States having a larger range of power than the Federal Government, for the States possess the great mass of powers not expressed, and the Federal Government possesses none but those which are expressed and delegated; and of course as that power is not among those delegated, I would take it to be an undue exercise of authority, independent of its injustice, for the Government of the United States to attempt to pass such a rule of evidence as is proposed by this bill.

But, Mr. President, just as fatal as is polygamy to our republican system, so monogamy is just as essential. It behooves it just as much to guard the latter as it does to assuage the former; and every law and every statute that tends to assuage the institution of monogamy is as much to be discouraged and denied as it is essentially our duty to prevent and obstruct every law that favors polygamy or bigamous marriage. I do not think it either wise or philosophical or just, permissible or admissible in any sense, to gain the destruction of polygamy by destroying the vital principle of its great opposite, monogamy; and yet it seems to me that in the very natural desire to root out and destroy this condition of bigamous or polygamous marriage, as the case may be, in the Territories, we seek to implant in the very means to accomplish that end the destruction of the other institution so essential as the very bedstone rock of our whole institutions.

The bill does not say that the polygamous wife may be called as a witness. A polygamous wife is no wife. If I read correctly the opinion from the English court of divorce read by my friend from Arkansas, they based their decision expressly upon the fact that the witness was admissible because she was simply a nominal wife, an unlawful wife, which meant no wife at all. They defined marriages to be the voluntary union of one man and one woman for life, to the exclusion of all others, and then give as the reason for their decision that they would not entertain a suit for divorce by this Mormon from one of his polygamous wives.

Mr. Garland. There was but one marriage.

Mr. Bayard. I know, but they recognized it as having been under polygamous laws.

Mr. Garland. Yes.

Mr. Bayard. It took its root in an institution that was anti-monomogamous. Is this the whole substance of that decision as I copied it from the report:

Offenses necessarily presuppose duties. There are no conjugal duties but those which are expressed or implied in the contract of marriage. And if the compact of a polygamous union does not carry with it those duties which it is the office of the marriage law in this country to assert and enforce, such unions as are not within the reach of that law.

But this section does not confine itself to unions which are polygamous, unlawful unions, but, on the contrary, it says it is the lawful husband or wife who shall be compellable to testify in certain cases of a criminal nature—bigamy, polygamy, or unlawful cohabitation—against the husband or wife, as the case may be. Now, sir, I am willing to go as far as any so that the punishment shall not be cruel or unusual, for that is forbidden to us under the Constitution, and I trust also by our natural instincts—I say I am willing to go as far as any to punish bigamy, to punish polygamy, and on the other hand I am willing to go as far as any to encourage, if you may, monogamy, which by its establishment will root out and destroy polygamy more effectually than all else you may do. But I am not willing, with the views which I hold and which I have endeavored here to express, to destroy that which is evil by inflicting a dangerous blow upon that which is good. I do not know any better way to destroy the sanctity of marriage, than to deny the unity of the one man and the one woman, and permit them or compel them to bear testimony against or for each other in criminal proceedings. It seems to me that the remedy is too expensive, it is too dangerous.

There are other features of this bill to which I give my approval, features which compel the registration of every marriage, require it to be openly and publicly registered, and inflict a penalty for the failure to register, making the certificate of registration testimony in all courts and for all purposes. These and such other provisions meet my hearty assent and shall have my vote. But I submit that this first section contains within itself an infraction: it is a blow against the great fundamental institution upon which all our political institutions rest, an in-

stitution that has nothing less than divine command for its establishment, and which those who are wise and humbly wise will ever respect and seek to incorporate, so far as they may, and to obey at all times when incorporated within the framework of their government.

I will not now comment on another feature of this bill which proposes to associate the Government of the United States with the continuance and operations of the Mormon Church by giving the appointment to the President of the United States of a majority of the trustees of that church, and so infusing governmental control into the corporation. But that is not the question now before the senate.

My views have been given imperfectly, but they are in substance that this section is a violation of all law, common or statutory, as known to me; and it contains an invasion, a violation of that principle of unity which is essential for the maintenance of the institution of monogamy, and whatever may be my desire and intent to prevent the practice of polygamy in the Territories of the United States, however willing I may be to vote for laws even of great severity to punish and check it, I am not willing to attempt even so desirable an end by invading principles upon which I believe the permanence and the safety of the Government of this country rests.

The Presiding Officer. The question is on the amendment offered to the first section by the Senator from Missouri [Mr. Vest].

Mr. Vest called for the yeas and nays; and they were ordered.

THE SNAKE RIVER COUNTRY.

LEWISVILLE WARD, BANNOCK STAKE, IDAHO, June 15th, 1884.

Editor Deseret News:

On the above date we were favored with a visit by two of the twelve Apostles President Wilford Woodruff and Heber J. Grant accompanied by Pres't. Thomas E. Ricks (of Bannock Stake) Bishop John Pool and Elder Robert L. Bibie of Cedar Butte and Elder Andrew Anderson of Rexbury.

The meeting was called to order by Pres't. Richard F. Jardine. The choir sang a hymn. The opening prayer was offered up by Bishop John Pool. The choir sang a hymn.

A letter of special instructions from the First Presidency of the Church was read by the clerk of the meeting.

Pres't. Thomas E. Ricks spoke upon the letter of instructions and gave some

GOOD LOCAL ADVICE

to the people who were located here. He felt pleased to see the great improvements which had been made here in such a short time. He thought that the improvements bespoke the industry of the First Presidency of the Church. He felt that the spirit of God was with us and hoped that it would continue to abide with us. He said that Pres't. Woodruff and brother H. J. Grant had been with us in the Bannock Stake about two weeks and had visited all the different settlements and places of interest, and they were pleased with the country and its facilities and thought that we had a very good country to settle in. He felt anxious and determined to carry out the letter of instructions. They had already laid out or surveyed nine town-sites and improvements were being made on all of them. They had also located and taken steps to secure missionary farms in all of the different settlements. He urged all of those who had located themselves upon quarter sections of land to take up city lots on the town-sites and build houses and make gardens, plant shade trees, and to co-operate together in all things for the benefit of the whole people. He called down the blessings of God upon the people.

Elder Evans of Eagle Rock, was called upon to speak a few words to the people. He said that he felt happy in having the opportunity of meeting with us to-day. He bore testimony to the truth of the Gospel, and said there were a few in Eagle Rock who were not ashamed of the Gospel and who were determined to do right.

APOSTLE HEBER J. GRANT

said he was pleased with the opportunity of meeting with the people of God in this part of the country, and he thought that our facilities for

MAKING GOOD HOMES

were much better than he had found in some other places where he had been called to travel. He felt that it was a great call which was made on some of the people to go and settle in some parts of the country where there were but few facilities. But here he thought we had great facilities. The most important thing for us to observe was to start right and make a good foundation and make it upon our city lots on our town-sites. He thought that we should have the same desire to serve the Lord here as if we were living at headquarters in Salt Lake City. Since he had been called into the quorum of the Twelve Apostles he had been called to travel in many of the new settlements. He had traveled in Colorado and Arizona and was pleased to say that he had found a great many

YOUNG MEN

who had been called to locate in the new settlements had determined to make a new start and lead a new life and form a new character for themselves, and to do better in every

way. He hoped that wherever we found young men who were trying to establish themselves in a new home, that we would lend them a helping hand, no matter how they had conducted themselves in the past. He said the Word of Wisdom had been revealed to us for our good, and all were expected to obey it. And it was not right for any Latter-day Saint to violate it by drinking whisky and using tobacco. The latter was a weed only good for sick cattle. He referred to the Priesthood and said that when a man was called to any office in the Priesthood, he must magnify that office and calling in an acceptable manner before the Lord. There were

SINS OF OMISSION

as well as sins of commission, and we would be held accountable for all of our doings before the Lord. He urged us to set good examples before each other and especially before our children. He said that a Bishop in particular, should live consistently before the Lord in the discharge of his duties, so that he may be able to give the word of the Lord to the people. It was obligatory upon all who were called to speak to the Latter-day Saints that they should so live before the Lord that they may always have His spirit to rest upon them. It was necessary that we should apply ourselves to keep all the commandments of God, and live the lives of practical Latter-day Saints. It was useless for us to go to meeting to hear the word of the Lord, if we did not apply it in our lives in every possible manner. Before a man can obtain a diploma in a college, he must possess all the necessary qualifications to entitle him to obtain it; so it is with a man in the Church and kingdom of God; before he can obtain salvation he must obey all the commandments of God. It was well to hold a position in the Church and kingdom of God. But it was important that we should fill that position. He felt that as he was called to hold a position in the Quorum of the Twelve Apostles that it was important that he should fill that position. And the higher the position in the Church the greater were the responsibilities and the more there was required at our hands. God has given us all talents and we are all expected to improve those talents. A man who wants to keep himself in a healthy condition must necessarily exercise himself, physically, and so also if a man wants to keep himself in a healthy condition spiritually he must necessarily exercise himself spiritually. When a man is dead spiritually it is almost impossible to restore him to a proper healthy condition spiritually. It is like resurrecting a man from the dead. When the light of the Spirit of God is withdrawn from a man's mind how great is that man's darkness, and how easily he is led into all kinds of wickedness and even to oppose and fight against the church and kingdom of God. He referred to the subject of polygamy and the laws Congress was making and enforcing upon the people of Utah in disfranchising and depriving them of their rights as American Citizens. He said that the Latter-day Saints were an independent people and that they had made great sacrifices in leaving their homes and friends and all things that they possessed to come to this mountain region to establish themselves as a free and independent people. He prayed the Lord to bless the people with His Holy Spirit and urged all to be consistent in their lives and prove to each other and the world that they are living the lives of true Latter-day Saints.

PRESIDENT WILFORD WOODRUFF

said that he and Brother Heber J. Grant had been visiting the people in this vicinity of country and he was much surprised to find so much land here unoccupied. He felt that it was all right and hoped that we would endeavor to duly prize it. He thought that we had too much land and too much water. But hoped that we would endeavor to carry out in every way the instructions we had received from the First Presidency of the Church. It was usual to have to call people to settle in the new parts of the country. But we did not need to call people to come here for they came

WITHOUT BEING ASKED.

He made some special remarks upon the letter of instructions and urged us to live together so that we may be able to hold our meetings of every kind both of public worship and association meetings, and schools for the benefit of our children, and to try and keep all the commandments of God. When he looked upon the Latter-day Saints he looked upon a people who had come from the different nations of the earth for the express purpose of serving God and of keeping His commandments. This was a generation in which God was raising a nation of priests for in ancient times certain families and tribes were set apart for this office as in the instance of the Levites, etc. We are under very great responsibilities in our several offices and callings before the Lord. He wanted to see the Bishops

ORDAIN THE YOUNG BOYS

to the office of Deacon and then after they have proved themselves worthy of that office and have learned to magnify their callings acceptably to ordain them to the office of Teacher and Priest that they may be trained and brought up in the priesthood of God. And so let every man magnify his calling before the Lord, said, "Many are

called, but few are chosen," and said that every man may be chosen if he only takes the proper course. It was the privilege of every member and officer to have free access to the blessings and favors of God and to have their prayers heard and answered. Every deacon and teacher in the Church can have their prayers heard and answered as the President of the Church can have his prayers heard and answered. He had traveled hundreds of miles and preached the Gospel when he was only a Priest in the Church and the Lord had heard and answered his prayers then as he had done since he had been an Apostle. Every man who magnifies his office and calling in the church of God may have free access to God and the revelations of his holy Spirit.

The Lord had given the revelation entitled

THE WORD OF WISDOM

and it must be obeyed strictly, and no man can enter into the kingdom of God who chews tobacco and drinks whisky, and no man can enter into the temple unless he is in a pure state. A man must be clean and use nothing impure. We must sanctify and purify ourselves before the Lord. This is one reason why we should observe and keep the Word of Wisdom. Intoxicating drinks are not good and we should not use anything that will deprive us of our reason. It is right that we should pay our tithing, for tithing is a law of the Lord. Israel paid tithing anciently, and we have been required by the Lord to pay tithing in our day. He thought that there was a great improvement taking place among the people. In some places he observed great changes. Let all those who are worthy, go to the temple and begin to

REDEEM THEIR DEAD.

Let all improve their time and opportunities in this respect. He never felt to mourn at the death of a good man, for when a good man passes away he goes into eternity prepared. When a man does wrong he is ashamed to meet a good man; and he loses the light and power of the Holy Spirit. And what power has an apostate? It would be better for him if he had never lived upon the earth. It stands us in hand to magnify our callings before the Lord. We are going to live a long time and our destiny depends upon our faithfulness to the gospel and that we never turn aside. We are but a handful of people compared to the entire population of the world, but the Lord expected us to keep His commandments. The Lord has brought us through the loins of Israel, and a great many of us are of the loins of Joseph. We have been called out from the nations of the earth. We have communion with God and we have His blessings continually resting upon us. I would that the veil could be lifted from us so that we could see the great work of redemption which the Lord requires at our hands, for we are raised up to redeem millions of people, and it takes the same laws and ordinances to save a dead man as it does a live man. Speaking of himself he said that he held the keys of redemption for all of His dead relatives, for all had to be brought forth by Him. And He did not want any of his relatives to have it to say that he had neglected their redemption. To the

YOUNG MEN

he said, improve your time and make yourselves ready for future usefulness in the church and kingdom of God, for the power and authority of the Holy Priesthood is going to be turned over to the young men of the church, and we want you young men to live your religion and do your duties. You have a good country and good facilities to make you good homes. He had traveled for miles all around this district of country, and in many parts of the Territory, and he thought that he had never seen such a good country, with such good facilities for making good homes for the Latter-day Saints. He expected that President Taylor would pay us a visit soon for the purpose of more fully organizing the Stake. He spoke on the subject of celestial marriage, and said that God had revealed it for our good, and referred to the sealing powers. He wanted to possess and enjoy the society of his wives and children in the resurrection. The

JUDGMENTS OF GOD

were awaiting the wicked and ungodly, but the hand of the Lord was over His people for their good, and the wicked could not overpower them. The north could put down slavery, but it could not put down Mormonism. The Lord has determined to establish Zion and no power can stay His hand. God is for us, the heavens are for us, and all things are well with us.

A letter of instructions on Temple matters from Pres't. Merrill and Elder Samuel Roskilly, of the Cache Valley Stake, was read by the clerk.

President Woodruff said that all recommendations must be properly signed by the President of the Stake. He advised all who went to labor in the Temple to keep a strict record of all their doings. Some who are called to officiate in the Temple are appointed or called as missionaries and need some assistance from those who go there.

HENRY STOKES, Clerk.

Kate Field says: "There can be found no grand men without grand mothers." True, very true, Kate, and great-grandmothers.

CORRESPONDENCE.

ROOM IN ARIZONA.

Inducements and Advice to Intending Settlers.

TAYLOR, Apache County, Arizona, June 28th, 1884.

Editor Deseret News:

We have plenty of room here yet for a few more good settlers. We have plenty of good lumber at \$15 per thousand and any quantity of building timber, also building rock in abundance. Merchandise, wagons and farming implements are sold here as cheap as in Salt Lake City. We want a good blacksmith, harness maker, and school teacher, also a music teacher, all of these could find steady employment or nearly so. This is a healthy country and a fruitful one. Our crops are looking well and bid fair for a good yield. Dry farming in the forest is proving a success. I should advise persons coming to this country to bring with them some dry land wheat for seed, also fall wheat and field peas. The hardy kinds of fruit trees, such as apples, pears, plums and the smaller fruits, also plenty of black locust seed, garden seeds and onion sets, in fact all such things as settlers need in a new country. Our Sabbath School, Mutual Improvement and Primary Associations and Relief Society are in splendid condition and doing a great deal of good, and our meetings are well attended.

The Saints feel determined to keep the commandments of the Lord and observe counsel, knowing that this is the only path of safety.

The Fourth will be celebrated in a becoming manner here by firing salutes, reading of the Declaration of Independence, oration, speeches, toasts, songs, etc. Dancing in the afternoon for the juveniles, and adults in the evening.

The News is a welcome visitor to our homes.

Respectfully,

J.

PANGUITCH QUARTERLY CONFERENCE.

Was held in Escalante June 21st, 1884, and continued on the 22d. Present on the stand were the Stake Presidency, with Bishops and representatives from all the wards in the Stake. The wards were all reported, showing an excellent feeling among the people and an earnest desire to serve God.

The High Priests' Quorum was reported by President Jos. L. Heywood, the Elders' Quorum by Counselors J. E. Myers and Lewis Dnel. R. G. Clark, Stake Superintendent of Sunday schools, then reported his charge as being in good condition. The speakers were President J. W. Crosby, jr., W. P. Sargent, Counselor Steele, David Cameron, Joseph Haycock and Joseph Houston.

On Saturday evening the Relief Societies held their conference, at which the spirit of the Lord was made manifest and some excellent instructions given by the leading sisters from the various wards.

On Sunday evening the Y. M. M. I. A., Y. L. M. I. A. and Sunday schools held a meeting, at which much good and wise counsel was given by President J. W. Crosby, jr., and others.

RILEY G. CLARK, Stake Clerk.

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