

appendix giving the text of the peace treaty between the United States and of his whole course of action with reference to the Louisiana purchase, Spain, and also the text of other and especially with reference to the treaties supposed to bear upon the In presenting the government's side of

controversy the attorney general first cited the two first cases on which the proceeding is based. This was followed by a general explanation and summing up of the government's posi-tion, after which came the citation of

question.

constitutional question, he said, shows conclusively that Mr. Jefferson's doubt the cour was not with reference to the power of the United States to acquire territory but rather as to the right to annex it to and make it a part of the United States. Liberal extracts were also made annals of Congress to snov that the only doubt in the minds of members of Congress in connection with the acquisition of Louisiana was the right to attach it and make it a part of the United States. Referring o the doubts of Jefferson, Madison and various others of their time as to the power of bringing acquired territory into the Union. Mr. Griggs said that power had now been affirmed by the judiciary, and he quoted numerous opinions in support of the statement. created. He contended also that "the coneded power to acquire territory by reaty or by conquest, includes the right to prescribe what terms the United States will agree to in fixing future status of its inhabitants. and in support of this contention said: Pre political status of native Indlass tribes within territory acquired by the United States by treaty has been uniformly regarded as unaffected by A long line of special the cession. treaties with such tribes, and numerous acts of legislation by Congress on the subject of Indians and Indian ights show that these people have alays been regarded as quasi foreign. He asserted that "the treaty making Constitution. power of the government has exercised the right to deal with the status of the inhabitants of ceded territory in every treaty of cession from 1863 to 1898." The status fixed, he said has not een uniform, but exceedingly varying. He then proceeded to argue that the practice is entirely at variance with the loctrine that "the Constitution follows the flag," and that when territory is ceded to the United States the inhabitants become immediately proprie vigore citizens of the United States.

the claim that the constitutional clause which provides that "duties, imports and excises shall be uniform throughout the United States," prohibits imposition of duties in the cases before "That clause," he said. "does not ap-

ply to nor govern these cases, because the term 'United States,' as there used means only the territory comprised vithin the several States of the Union

ere active workers in the Priesthood ther in wards or quorums, attending he quarterly conference and all other uties pertaining to their calling in the riesthood. Substitutes should take harge of the schools and classes on the days when quarterly conferences are held, so that the school work may not be interrupted and the ward and quorum officers can attend the conferwas intended only for its benefit and protection and not for the benefit or protection of outside territory be-At this functure the asesmbly divided into the various departments for class longing to the nation; in the latter sense duties on imports from these work and special instruction The theological department was adislands were uniform throughout the iressed by President Joseph E. Taylor. United States, because they are uni-This department is now taking up the study of the Pearl of Great Price, un-der the direction of Eider Thos. A. formly used at every port in the United States, so that there is no preference given to the ports of one State over those of another, nor is there any in-Clawson. Elder Levi E. Young conducted the equality between the several States work in the second intermediate de-The attorney general argued for a artment in considering Book of Morsharp delineation between the rights of the people of the States and those of The first intermediate department, immediate Territories, saying that inder the direction of Elder D. M. Mc. Allister, listened to a very interesting all the authority of the United States is derived from the people of the States, and not from those of the Ter-Book of Mormon story, suitable for class work, by Elder David P. Felt. The maxim adopted in presenting a ritories; that the people of the Terri-tories cannot share or contribute to Sunday school lesson should be to have every recitation or story or lesthat authority as they are deprived of son illustrate some subject or princithe rights to elect officials, etc. The purpose of the constitutional ple of the Gospel. The Primary and Kindergarten deprovision for the conformity was that partment, in charge of Sisters Donetta Smith and Katle Morris, discussed best for insuring equally fair treatment to all the States to Congress and it was nethods of presenting Christmas lesknown to have been one of the guarantees held up to the States to accept the Upon reassembling, Elder James W. It was not a personal Ure, of the general Sunday school board, made a few pertinent remarks regarding the use of text books. It but a local guarantee, operating not as privilege to individuals but to States considered as organized conas not the intention of the Sunday stituents of the Union. Hence, School Union to say that no other books than the four sacred books of the gued, reasons for applying it to Territories are wanting. Church should be used in the schools. The lessons of the Gospel, and passages CONSTITUTION DOES NOT EXsupport thereof should be learned TEND. and taught from the books referred to The last feature of the argument Other works are auxiliary, and may be was a contention that the Constitution used, as aids in presenting the lessons on the Gospel, but should be used in connection with the standard works of does not extend of its own force over couired territory and in this connecthe Church. Abrupt changes were not desirable nor expected, where good tion the attorney general sought to re fute the doctrine as laid down by Chief

called attention to the duty of Sun-day school officers and teachers who

THE COMING LIGHT. Beats electricity cheaper than kerosene. The Standard Ga Lamp Co., Chicago, has a branch at 125 Hilh St., Denver, Colo, We want one agent merchant or individual, in every funceou pied) town or county in the U.S. Bij money for agents. Lamp has given great est satisfaction for 15 years. Latest im provements. Thousands of testimonials indored by fusurance Use. Largest factory POEMS. M'INTYRE TESTIMONIAL. A \$7.00 A testimonial concert and entertain-BOOK. Indorsed by Insurance Cos. Largest factory in U. S. 41 styles, all brass. Lowest prices Retail \$4 up. Sample lamp half price ment will be given in the Twenty-first THE. Book of ward meeting house on Thursday eventhe century Handsomely ing in honor of Thomas McIntyre, the Send postal for catalogue. Illustrated by thirty-two of conductor of the ward Sunday school ********** choir. The program comprises the folvorld's Greatest Artwing olio: You wan! yourn et ists. I But for the noble con-tribution of the world's greatest artists this book could not have been manufac-tured for less than \$7.00. The fund created is divided equally between the family of the late rugene Field and the fand for the building of a monument to the memory of the beloved poet of childhood. Address Picture framed right, and know how. 00 s SelectionUnion Glee Club Frames Mais 1 Recitation ... Miss Maud May Babcock to select from. match. Mouldings and mats for -al The JOH NSON Co. C. E. Johnson Sup Solo Miss Hope McIntyre Discussion, "Reason, Tradition and The JOHNSON CO. C. E. Johnson Su 54 s West Temple St., Salt Lake Uta "You see Johnson all over the world Seriptus." ... Miss Winnie Tibbs, Miss Ida West, Miss Stella Daynes Plano soloMr. W. B. Dougall Jr. **** Following the olio comes the rendition of Red Riding Hood, a cantata in four Saponifier. parts. The cast is:



and is ready for deliver But for the noble cor

nnumerable authorities, under appropriate headings, with pertinent running comment upon them. The attorney general contended that the United States has the power to acquire territory, that having acquired it, it has the right to govern it; that administrative construc tion, congressional action and judicial precedent affirm that every port in a eded country is properly regarded as foreign until laws are extended by Congress to the new possessions; that the clause of the Constitution of the United States declaring duties uniform throughout the United States is not applicable to new possessions, and that the constitution does not extend of its own force over acquired territory.

EFFECT OF TARIFF ACT.

In his general contention on behalf of the United States, Mr. Griggs argued that his opponents were wrong from both a legal and a constitutional point Referring to the legal aspect of the case he asserted that the Dingley act applied to merchandise im-ported from Porto Rico and the Philipines after their cession to the United States, the same as it did before, and that in view of the fact that the tariff laws are in rem there is no principle of justice, much less of con-stitutional restriction, which forbids Congress from taxing in this way the merchandise of outlying possessions of the United States when brought into ports of the Union.

He laid down as established the two lowing propositions:

(1)-That the tariff act of 1897 was intended by Congress to classify as foreign all countries not a part of or be-longing to the United States at the time of its passage, and the subsequent of sion of the Spanish islands to the United States did not operate to admit imports from those islands free of duty ander that law:

(2)-That the tariff act so construed and enforced, violates no constitutional rule of uniformity.

CONSTITUTIONAL QUESTIONS.

Taking up the constitutional question, the attorney general declares that here was no doubt that it was the ntention of the Paris treaty not to make the ceded islands a part of the lited States, and also that it was ended not to make the inhabitants of those islands citizens. The only thing that could justify a declaration that the treaty is invalid would be that it violates the Constitution of the United States United States.

lling attention to the fact that that those who attack the treaty rest Ir case upon no specific provision of the Constitution, but rather upon a priciple of our government, which say forbids this nation to hold sovereignty over subject territory which it does not make a part of it-telf under the Constitution, Mr. Griggs

If this were true, it would be limitation upon the usual and necesary powers of a sovereign independnation of such tremendous importance as to justify us in inquiring why was not clearly expressed in the afted our Constitution. They were arned in the law of nations. they ew the nature of colonies and proves and how they were acquired treaty and conquest and discovery and how they were held and governed by other nations. They gave to the nation they founded the usual untrameled powers of making war and treatthe most frequent methods by bich foreign territory is acquired by the nations of the earth. If they in-tended to restrict or limit their govament in these respects, would they have done so in express terms? y did not do so by any language can even be suggested as capable such import, and it is therefore right-nay necessary-to conclude that they did not intend to do so."

WHAT IS CLAIMED.

He declared that it could be positiveshown that so far from their intenorganize a government which hould be incapable of acquiring forign territory except upon condition of

ATTITUDE OF OTHERS.

"If that doctrine be true," he said "every treaty that has brought us new lands and new inhabitants has violated n this respect the principles of the Con It convicts of error and stitution. surpation Thomas Jefferson, James Madison, James Monroe, James Polk, Franklin Pierce, Andrew John-son, their cabinets and the Senates that ratified their treaties."

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of 1847.

Arguing this point, he asks:

"If Congress may properly define the lasses of emigrant or aboriginal inhabitants who may become citizens and the proper period of probation and the terms and conditions of admission, why is it unreasonable or unjust to leave their judgment and discretion to time, the terms and conditions upon which the inhabitants of lately-acquired foreign islands may be admitted to the same high status?

"Are the United States so bound and tied by this Constitution of ours that it can never acquire an island of the sea a belt across the isthmus, a station for a naval base, unless it be at the cost of admitting those who may happen to inhabit the soil at the time of the purchase to full rights as citizens of the Union, no matter how incongruous or unfit they may be, while the foreign born inhabitant or the aboriginal red man must depend upon the grace of

Congress, though he dwelt half a century among us? "What reason can be suggested for denying to this nation such full power and discretion as are possessed by other nations in respect? Why should the

earth?

framers of the Constitution wish to put shackles on the new limbs or to strip the nation of powers necessary to preservation of its dignity and the maintenance of its material interests on an equality with the nations of the

"The full exercise of those ordinary powers tends to the exaltation of the lignity, influence and welfare of the nation. These powers are inconsistent with no principle of liberty. Why seek the night of January 7th in honor of o needlessly limit and restrain the naional functions? Why not rather, with Governor Heber M. Wells and the other the same largeness of view and purofficers. A committee has been appose that characterized such statesmen as Jefferson and Marshall, seek, by libpointed to take entire charge of the aferal interpretation, to give broad and ample scope to the spirit of national development, looking forward, as Marfair, consisting of Brig. Gen. John Q. Cannon, Col. S. C. Park, and Col. W. F. Beer, Lieut, H. A. Plumhoff was chosen shall expressed it, 'to the ages to come,' secretary of the arrangement comwhen newer, grander and more potenmittee It is to be a big affair, \$3 for the lower

tial opportunities for national growth and influence should have come to us than our fathers ever dreamed of?" MUST WAIT ON CONGRESS.

Justice Taney, in the Dred Scott case, vork was now being done by the use of that the United States could not ac-quire territory for any other purpose ther works. Assistant Superintendent Burton than to convert it into States of the alled attention to the ninety-fifth hirthday anniversary of the Prophet Joseph Smith, which occurs next Sun-day, Dec. 23; suitable reference there-"The doctrine of ex propria vigore extension of the Constitution was nev-er heard of," he said, " until it was invented and advocated by Calhoun as may be made with interest and profit a means of fastening slavery upon California and Mexico beyond the pow-

The Third ward school will furnish the music at the next meeting to be held in January, 1901.

The choir sang the Sunday school song, "Sowing," and the meeting ad-journed, the benediction being pro-nounced by Elder Isaac J. Wardle of South Jordan.

g.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก. LIVE STOCK CONVENTION.

gunnunununununun John H. White was yesterday appointed a delegate to the National Live Sock convention by the commissioners of Salt Lake county.

John Sparks, who arrived from Chicago yesterday, announces that he will require twenty-five stalls for his herd of fancy stock which he will bring here during convention week.

Jesse Smith says that he knows a Colorado breeder who is anxious bring 100 head of choice cattle here for exhibition.

The sub-committees of the finance committee report that up to date \$5,-500 has been subscribed toward adver-

ecutive committee of the National Live Stock association for Nebraska, is stay ing at the Cullen with his wife and daughter. He is the advance guard of the army of rooters that is coming to town to talk Omaha for the next convention. He has engaged sixty room at the Kenyon for the delegates, and proposes to boom Omaha to the top of its bent. The Nebraska delegates, says, are coming here in a special with a brass hand, while the popular tune on the occasion will be "A Hot Time in the Old Town Tonight."

The sum of \$587 has been appropriated for the Elks smoker in honor of the visiting delegates. The affair promises to be a purple event, and one which will live in the memory of all participating for many days to come.

floor, 50 cents for the balcony and 25 cents for the galleries. The city will The committee in charge of the stock be filling up with the vanguard of the show have arrived at the opinion that

Red Riding Hood Dagmar Orlob Mother. Annie Owen Woodman (Hugh) ...Joseph W. Maynes Wolf ... manner manny ...Ollver WalshJennie Pickering Robin . of Merry Children.

Accompanist, Miss E. McIntyre; conductor, Thomas McIntyre: stage di-rector, Mrs. Alice C. Tuddenham.

CHRISTENSEN'S.

Second term of the Baby and Advanced Children's Classes are held open until Wednesday, Dec. 19th, 3 and 4:30 p. m. The Children's Class is held open until Friday, Dec. 21st, 4:30 p. m.

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POLICE POINTERS. gunuuuuuuuu This morning Officer Sperry found a check on the Bank of Montpelier for \$5 issued by Orson Pendrey to Effic Clayton. The check is at the police

station awaiting its owner. This morning Officer Lincoln ar rested P. J. Kilcullen, a painter, on the charge of committing a public nuisance Kilcullen has been engaged in paint-ing a building on south East Temple street, and it is alleged that he care-lessly allowed paint to drip from his brush on the heads of people passing below him. One gentleman complains that his \$6 Stetson is ruined, another that his wife's cape is so spattered with aint that it is unfit for use. Kilculler i is said, became insulting when h ttention was called to what he had done. At the police station he put up \$20 for his appearance in court this afernoon



On account of illness Police Officer Chase is unable to report for duty. His beat is now being presided over by Of-feer C. A. Sperry, the Rough Rider of the department.

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THE SALT LAKE HARDWARE CO.,

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M. A. Daugherty, member of the ex-

tising and pushing the convention. night it was decided to give an inaugural ball in the Salt Lake Theater on

spices of National Guard. At the meeting of the Officers' association of the National Guard last

Big Function at Theater Under Aus

that the judgments in the lower courts in both cases violate no constitutional or other right and therefore should be affirmed. GRAND INAUGURAL BALL.

er of Congress to disturb or abolish it.

It was in conflict with all previous views of statesmen of all parties and

opposed to the compact in the Ordin-ance of 1787, as well as to the act of

Congress known as the Missouri com

The doctrine announced in the Dred Scott decision was, said Mr. Griggs,

not original with Chief Justice Taney

but was originated by John C. Cal-houn and pronounced by him during

This doctrine had been tacitly ignored

and repudiated in later opinions and in

congressional action, to say nothing of

the effect upon it of the result of the

civil war. Indeed, said the attorney general, in the language of Prof. Pom-eroy, the Dred Scott decision had be-

come a by-word and a hissing. In conclusion, Mr. Griggs submitted

discussion of the Wilmot proviso

MUST WAIT ON CONGRESS. Mr. Griggs laid it down as a fact that and therefore a great time is anticipat- the Exposition grounds are situated too ng it an organic part of the United tates, the early statesmen of the Re-"administrative constructive, congres- ed. far out of town to be an ideal place public were under the impression that