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CHICAGO TRADE.



## NEW YORK TRADE. THE NEW EDMUNDS BILL. SPEECH OF SENATOR CALL. BRINCKERHOFF, TURNER & CO. RIGHTS OF THE "MORMON" CHURCH. 109 Duane St., New York.

eliable Concentrated Lye for LP MAKING., Directions ac o can for making **Haret. Woft**, **canp** quickly. It is full weight Ask your grocer for Ask your grocer for T MANUF'G CO, Philadelph a

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FAMILY FAMILY Company Company and Traffe ind streng SAPO

In the U.S. Senate on Jan. Sth, Mr. Manufacturers of and Dealers in COTTO SALL DUCK, "Woodberry," Druid Mille "PULIFALLS" and other favorite brands, a aumheri-Hard, Medium and Soft. Call, of Florida, made the following excellent remarks:

Mr. Call. Mr. President, it has been seerted very often that there was a DUCK FOR OVERALLS, BLUE, BROWN, DR IN THE GRE COTTON CANVASS of all numbers—14 to 15 inches wide, for Deck, Car, Trunk and Wagon Coverings, Machine Aprons and for other purposes, constantly in store and difference between this legislation and a law respecting religion, that this bill is not amenable to objection because it legislates upon the political relations of Mormonism. Suppose we conceded that this a is an organiza-Agents for U.S. Bunting Co., "Standard" and "Eagle," by the Case or less quantity These Goods can be obtained at Z. C, M. I. pose of teaching it and defending it, how much do we advance the argu-

HAZARD POWDER ment? What power is given to Con-gress over it? The Senator from Texas seems to think that because Utah is a Office, 63, Pine St., New York. **Ferritory** Congress is emancipated Constantly on hand a complete stock of this well known and justly celebraten from all the limitations of the Constitution,

Mr. Maxey. I beg the Senator's pardon. I took no such position. I GUNPOWDER Blasting, Kentucky Rifle, imply spoke of our power over the fair Lawn, Duck, Electric Fuse Cerritories. What does the Constitu-

Mr. Call. tion say? Congress shall make no law \* \* \*

The Senator from Texas cited the law of libel. Is it to be held that Con-gress may prohibit the promulgation of opinions upon the subject of government or religion whether they be true or false? Did any one ever hear that thought was to be abridged and the expression of it? Does not that mean free speech? Does it not mean a free press? And if they do teach polygamy have they not their legal warrant for it in the guarantee of free-

dom of speech, and is it not the principle of our Government that we are sustained by free speech and free thought as the foundation and support of our liberties and all our civil insti-tutions? Are we to be told here to-day shat this bill is right because it makes war upon opinion, political opinion, political teaching, the freedo:n speech, and the freedom of the press? Why, sir, the argument is not

and we owe our foundation as a government and as a people to the freedom of speech, the freedom of religious and political opinion, whether it be for monarcy or whether it be to promul-

advanced to any just conclusion by this proposition. The Mormons have a right by the very charter by which we defend the Christian religion which for many centuries was forbidden to be defended except in the orthodox way. It was heresy to differ in opinion from the established creed of the government,

no right to create such a corporation. Well, sir, suppose it was not a corpor-ation, suppose it was a political cor-poration, why had they not a right to create it? There can be no question that destitution and want are not found there. The offspring are taken care of, reducated, and established in one of the growlers, and his punishlife; shelter is provided for all; food for all, and clothing for al'. ment had been out of all proportion to his offense. Both Lincoin and Grant that it was created by law, that it is Mr. President, that is the reason why at one time had equally believed the recognized in the act cited by the Sena-

TRUTH AND LIBERTY.

SALT LAKE CITY, UTAH TERRITORY, FRIDAY EVENING, FEBRUARY 12, 1886

tor from Vermont, one that it is per-forming the duties and the objects for which it was created. Now the United States come in and declare that it shall no longer exist. Concede that they have the right to do so, have they the right to take the property? Can they appropriate it to their own use by call-ing it at escheat when under the Fug. ing it an escheat, when under the English laws the property did not go to the Crown? What do the law-books say

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Crown? What do the law-books say on that subject? The English Parliament is omnipo-tent, but here private property can not be taken for public use except on com-pensation made. Under the law of escheat the land went back to the party from whom it was derived. The goternment in case there was no owner might appropriate it by law when there

was no one of kin, no one in the order of descent; and so they may here; but can they destroy the person in order to acquire the property? That is what this bill proposes to do, and what the argument of the Senator from Verstroy it.

mout requires. 2 Does it follow because a corpora-tion is terminated that there is nobody who is a cestai que trust? And can the Government destroy the corporation by

act of law and then say there is nobody to own it? We have de-stroyed it in the proper term of its chartered existence, and do you not call that a forteiture, a confiscation, and appropriation of private property in Let us see what was the English law There is neither analogy nor is there

any kind of precept or authority for this bill in all the English law with an omnipotent parliament, capable without restraint of passing any law confiscating all proverty, passing bills of attainder, and making blood unin-heritable. Even under that constitution and that state of things there is no analogy to this legislation by which a corporation is descroyed, terminated in the period of its life, and then the property of the corporation appropri-ated by the government?

the Eustis resolution of inquiry ra-garding the refusal of the Assistant Treasurer at New Orleans to issue sil-Some allusion was made by the learnver certificates in exchange for silver

ed Senator from Massachusetts to the doctrine of cy pres as an analogy to it. The historyof legislation on this subject is very plain. It will be borne in mind in this lovestigation that we start out with a positive prohibition from Congress from appropriating anybody's private property, from taking it, and that before it can be appropriated by the government of the United States under any proceeding or idea analogous to escheat, it shall be when there snall be no owner of it, no person with a le-gal or confident in the exclusing to react a superprivated by the government of the United States to escheat, it shall be when there snall be no owner of it, no person with a le-gal or confident in the exclusing the coming of Chinese to the United States and prohibiting their coming the coming of Chinese to the United States and prohibiting their coming the coming of Chinese to the United States and prohibiting their coming gal or equitable right to it-in other except in case of diplomatic and offi-

deluded people are dragged from Europe from a life of almost absolute injustice of Porter's sentence, but when opportunity had been cloen for a cain, dispassionate review of the case, had proclaimed the injustice of the verdict and become carnest champions want of comfort; that is the reason why their religion is propagated. It is because of the success of their industrial system in a new country. It is not because the religion of Christ will of Porter's cause, and he was a bold man who dared to impugn the military judgment of U.S. Grant. If Lincoln fail to have its effect in its teachings there. It is because the contest be-tween the life of these poor people in the countries from which they are had lived, he, Haynes, believed Lincoln and Grant would have stood together in the demand for justice to Fitz-John dragged, naked almost, doomed to a life in both sexes of the hardest and Porter. Mr. Steele of Indiana took the floor

Mr. Steele of Indiana took the hoor in opposition to the bill, and premised his speech with the remark: "What in thunder are we here for? Why are we discussing Fitz-John Potter?" This sternest labor without adequate com-pensation, because they find in refer-ence to the evils of Europe, in refer-ence to the life of want and degredation there, they find comparative com-fort in Utah. Mormonism can not live number of members of the House, and before the enlightened rays of the at least one democrat had added that Christian religion, but it does not need this un-this bill and it does not need this un-it, auyhow. He (Mr. Steele) believed that this was true, but he would vote against it. If Jackson marched that lawful and unconstitutional confiscation and forfeiture of property to de-

night, could not Porter also have marched? There was not a soldier in the House but knew that it was.Porter's duty to obey the order. After dwelling with great minuteness of de-tail upon the military operations of the BY TELEGRAPH. 29th of August, Mr. Steele concluded his speech as follows: "If we have wars hereafter, they will be for our FER WESTERN UNION TELEGRAPH LINE. XLIX CONGRESS. common country. Let us not say by our action that we want any men of Porter's kind to command. When the SENATE.

country's safety is in danger, let us say to our sons, and our sons' sons; 'When you receive an order obey it, though at the cost of your life.' Let us say to our sons and our sons' sons; 'Even Prepare WASHINGTON, 11 .- In the Senate today after the disposal of the routine morning business, Edmunds said as one important committee of the Senate had to go to New York to-day, and other important committees had con-siderable work to do, he believed the public husiness would be best subwithout an order, if you hear the call of battle, move on to the succor of companions, whether you like your served by the adjourning of the Senate ommanding officer or not."" from this alternoon till Monday. He therefore moved that when the Senate

idjourn to-day it be till Monday Agreed to. Teller submitted an amendment to

dollars. The amendment directs the committee on finance to inquire also

nto the loss of money alleged to have Editor Deseret News: occurred in the New Orleans sub-Treasury, and whether such loss occurred in connection with the exchange account: 1830, at

The Rising Generation

sun should find you resolved to give follows generation, transmitting a legacy Ayer's Sarsaparilla a thorough trial. It of good or ill, according to well-knows will cleanse and invigorate your blood, and physical laws. To the unfortunate sul restore the vital organs to their natural erer from hereditary Scrofula, nothing can functions. Mrs. J. D. Upham, 231 Shaw- be more cheering than the assurance that mut avenue, Boston, Mass., writes : " For in Ayer's Compound Extract of Sarsapaa number of years I was troubled with In- rilla is found a constitutional remedy, digestion, and unable, without distress, to which eliminates the poisonous taint, and take solid food. After using Ayer's Sar- restores to the blood the elements neces, saparills one month I was sary to

## **Entirely Cured.**"

obtained no relief until I took

## Life and Health.

NO. 69.

Mrs. H. M. Thayer, Milton, Mass., writes : Alarie Mercier, 8 Harrison avenue, Low-"I have been very much troubled with cll, Mass., writes: "My son was weak torpidity of the liver, and Dyspepsia. and debilitated, troubled with sore eyes, Ayer's Sarsaparilla has cured me." Mrs. and Scrofulous humors. Ayer's Sarsapa-J. W. Bradlee, Hyde Park, Mass., writes : rilla restored him to perfect health." "I was greatly reduced by Dyspepsia, Irving H. Edwards, Ithaca, N. Y., writes, and was advised to take Ayer's Sarsa- "From the time I was four years old, until parilla, which entirely cured me." Mrs. eighteen, I was subject to Scrofulous sore M. F. Hamblett, 25 Lawrence street, throat. Many a time my neck has been a Lowell, Mass., writes : "I was sick two raw sore, from poultices put on to draw years with stomach and liver troubles, and out the inflammation. T took four bottles

of Ayer's Sar-

Ayer's Sar saparilla saparilla. Since that time I have and have never had the disease since, it sixteen years." Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

For sale by all Druggists. Price \$1; six bottles for \$5.





gate false philosophies in regard to sowords, when it ceases to be privat ciety. We rely upon the omnipotence of free thought and free speech and a property. The legislation for charities in the

English government to which the doctree press for our protection and for trine of *cy pres* applies finally termin ated in the statute (43 Eliz., c. 4, 1601 the success of correct ideas. We are departing from that in this 4, 1601) commonly called the statute of charit-able uses. This statute provides and bill, and the Senator, from Vermont tells us that this is right because we are dealing with a political hierarchy. Let us concede that it is a political as it has been extended by judicial de-cision from time to time, defines the canses for which a charitable corporahierarchy, that it teaches false, despotic, and immoral doctrines. They have a right to teach them and we have tion may be created. They are not religious; they are such as beneficial as-sociations. They may be religious or they may not be. They are all included within the statute of Elizabeth: a right to confute them by free speech and free thought. That is the Consti-tution and the fundamental principle

of our government. Nobody ever ques-tioned this before; and the idea that because we pass laws of libel there-Relief of aged, "impotent and poor people maintenance of sick or maimed soldiers and mariners; schools of learning, free schools fore we may abridge the freedom of and scholars in universities: repairs of bridges, ports, havens, canseways, churches, sea banks and highways; education and preferment of orphans; relief, stock, or maintenance for houses of correction; marspeech, of thought, of expression, and provide that men shall only think and talk in support of our ideas of what we proclaim to be right, can not iages of poor maids; supportation, aid and help of young tradesmen, handicraftsme and persons decayed, etc.

Why, sir, it seems to me strange that this bill should be defended upon that ground. The Mormon Church or soci-The subject has received large con-sideration in the courts of the United States. Perry on Trusts contains all ty have as much right to teach their ideas as the distinguished orator who assails the Christian religion has to teach his, and he has as much legal right to prociaim his ideas and to have an association to support and dissemthe decisions on the subject and goes extensively into it. There we find laid lown the following:

If gifts were imade to establish a Jewish synagogue, to teach Judalism in opposition to Christianity, or to re-establish the su-premacy of the Pope, or to educate chil-dren in the Catholic faith contrary to the statutes, or to promote dissent contrary to the acts of uniformity, or to keep alive superstitious customs and practices, the charities could not, of course, be carried in effect as given, and the King gave effect to them as charities, by his royal preroga-tive, cy pres the original purposes. \* \* Bat whether the prerogative of the British crown were proper or improper, or whether they were wisely exercised or not in the cases named, is no question here. No such power exists in American magistrates, judicial or ministerial. If gifts were made to establishia Jewish nate them as we have a legal politica right to associate for the maintenance of what we believe to be the divine aith of Christ, and that is the lesson of the Gospel and the lesson of the Christian religion. It is by moral power that the religion of Christ has overcome polygamy in other countries and other times, and it will be by its moral power that polygamy in Utah will be overcome. Whether it be a political or a religious hierarchy does

not affect the argument. The prohibition of the Constitution remains the

I insist, sir, that this argument to take possession of this Mormon Church, to confiscate its property, to manage its affairs, whether it be a That is the decision of our courts It does not matter whether it be the romotion of Judaism or Christianity, or dissent to the orthodox belief, be the object of the charity what it may, it has been held, by the Supreme Court political or religious institution, has political or religious institution, has oo foundation, and that this Congress is expressly forbidden by the pro-visions of the Constitution, which forbid any law that shall abridge the freedom of speech from interfering with them because of the doctrines which they may teach, whatever they may be. And it cannot be denied that this is not a bill to suppress po-lygamy, but it is a bill to suppress and destroy a sect which teaches polygamy. from 4 Wheaton until to day by the uniform course of decisions, by the decision of Chief-Justice Gray of the state of Massachusetts, among other learned men cited in this book, that any benevolent charity to trustees who can receive it for the benefit of an indefinite number of people, no matter what it is in respect to its religious destroy a sect which teaches polygamy. And the methods by which it proposes to suppress this sect, this teaching of teaching, no matter what it is in respect to its political influences, is a charity and will be enforced and carpolygamy, is the confiscation of its property, the seizure of the contribu-ions of its followers, and then arbiried out by the conrts. But here we have this bill, in defiance

trary appropriation by Congress to such purposes as it thinks proper, the trial of its followers by partial inries, on evidence forced from the lawful wife. However grievous may be the of the whole course of American decisions and of the very words of the Constitution, in defiance of the whole course of Englisa decisions and of the statute of Elizabeth, undertaking to put forth a proposition which, with great respect to the learned men upon this committee, is utterly indefensible and unreasonable, that under the doc-trine of on one word ward for a conevils of Mormonism these unlawful methods are not the proper means for its overthrow and can never accomplish this purpose. Mr. Call. I move to amend, in sec-tion 13, line 3, by striking out after the word "to" the words "forfeit and es-cheat to the United States the property trine of cy pres you can divert, you can destroy the corporation, terminate its existence during its chartered life, and appropriate its donations not as the statute of Elizabeth says, according to of corporations obtained or heid,"and inserting the words "dissolve the cor-poration existing;" so as to read: the will of the donor, but against the will of the donor, deprive it entirely because it teaches some heresy, reigious or political.

That it shall be the duty of the Attorney-General of the United States to institute and prosecute proceedings to dissolve the corporation existing in violation of section 3 of the act of Congress approved the 1st of Why, Mr. President, there surel can be no ground for such a proposi-tion as that. It is a pure case of religious persecution in express defiance of all the provisions of the Constitu-The President pro tempore. The question is on the amendment protion of the United States. The Sena-tor from Alabama said this is not reposed by the Senator from Florida. tor from Alabama said this is not re-ligion. Suppose it is not, can we say what his religion or what is not? In all the course of time those who maintain-ed the orthodox religions have decided that those who differed with them were not religions, that they were the greatest of criminals, burned them at the stake, torn out their tongues. More than a hundred thousand people were destroyed in one year on the year

Mr. Call. I propose, Mr. President, to follow this motion by a motion to strike out all the words on the eleventh line after the word "States" down to the word "worship" at the end of the seventeenth line, and insert the fol-lowing. I state it in order that it may be seen what it is that I propose to

July, 1863

And all property shall be returned by the court, on due proof of ownership, to the person or persons and their beins and as-signs who contributed the same: Provided, That all buildings on the grounds appur-tenant thereto and occupied exclusively for the purpose of the worship of God shall be conveyed under the order of the court to trustees who shall be selected by the con-

cial personages. At the request of there at an early age, with his to Ohio, where he joined the Church of Mitchell the bill was laid on the table for the present. Jesus Christ of Latter-day Saints. He

Proceeding to the calendar, the Senate took up the bills in their order. Some bills for private relief having and with theta came west to help build up Zion. Here he has always been disposed of, the bill to regulate the promotion of the West Point gradtaken an active part. He settled and built a home at Pleasant Grove, where uates was reached. Sewall, in reply to an inquiry of Plumb's, said this was the first year for he engaged in farming, school-teaching, etc., and was one of the first, if not the very first, to plant apple and peach trees in that locality, having long time when there would be more ieutenants graduated from the Acadecarried a few of either kind of trees of my than there would be vacancies for the army. his back from Salt Lake City, on a re

After considerable debate the bill was passed as reported from the com-

At 2 o'clock the education bill was laid before the Senate and Morgan took the floor on it. The bill, Morgan said, was a bill te-create offices and an elaborate machinery of the government. It was a bill to tax the honest, hard working man in order to educate the children of the drunken, loafing vagsboud, who would not work for his family. If from the 69,000,000 of people in the United States were to be deducted all the dead-heads, dead-beats and non-pro-ducers there would be aboat 20,000,000 t people left who would have to pay taxes to carry out the provisions of this bill. The bill itself would be equivalent to a tax of \$3 per capita on those taxpayers, and by the time the officers were all appointed for the ad-ministration of this scheme of benvoce, and all the cierks appointed that would be necessary to investigate the accounts of 38 States and 10 Terri-tories affected by the bill, it would be bound that the tax per capita would be 10 instead of \$3. If the United States Senators were men who plowed the fields or worked as smiths and paid taxes out of the sweat of their brows, Morgan could have more respect for them when voting away the money of one man to educate the children of another. Then the constitutional ground for the bill, Morgan continued, was said to be found in the general welfare clause of the preamble to the constitu-

tion. Such an application of that clause simply meant that you could put down a man who gotiup by his own exertions in order to put up a drunk-en loafer who would not exert himtomach \* Morgan characterized Blair's idea a one involving the right of Congress to

educate children of the several States without the consent of the States. Blair interposed to say that he re-garded the primary duty of education to rest on the parents; but inasmuch as education was indispensible to the

existence of a free government, if the parents, whether from inability or dis-inclination failed in the performance of their duty, that duty fell to the States and on our Republic, if the State proper and parent both failed to edu-Bishop Alonzo Winters, and cate the child, since the child would be a citizen not only of the State but of the United States. This, however, was a power that should be exercised only in the last resort.

After some further discussion, Mor-gan yielded for an Executive session, after which the Senate adjourned until Monday.

HOUSE.

WASHINGTON, 11 .- Reed of Maine offered a resolution modifying the order making the Fitz John Porter matter a continuing special order from day to day until next. Thursday, so as to provide that the bill shall not be insidered until after the second morning hour on each day. Randall endeavored to have the or-der further amended so that the previ-ous question should be ordered Tues-das instead of Thursday, but he was unsuccessful and Reed's resolution unsuccessful was adopted. ngham asked leave to introduce a

bill granting a pension of \$2,000 per an-num to the widow of General Hanbe it cock, but Beach objected. Wellborn, from the Committee on Indian Affairs, reported the Indian ap-propriation bill, and It was referred to the committee of the whole. Rogers from the committee on judiciary reported the bill conferring civil jurisdiction in certain cases aris-ing in the Indian Territory on the

