Wednesday

EVENING NEWS

Published Daily, Sundays Excepted, AT FOUR O'CLOCK.

PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY

CHARLES W. PENROSE, EDITOR.

A FAIR AND ABLE REPORT.

WE publishi to-day the minority re port of the Committee on the Judiciary of the U.S. House of Representatives, on the measure introduced at the last session of Congress and now known as the Tucker-Edmunds bill. It was filed with Senate bill No. 10, and emphatically dissents from the views set forth by the majority of the committee in regard to that remarkable piece of special legislation. The printing of this report was delayed because of the absence from Washington of the gentlemen who reported it, and to whom the proof sheets had to be referred before publication. We have but recently

secured a copy. It makes excellent reading. It has been evidently prepared with care, and its authors have thoroughly studied the bill which it opposes and the report of the majority from which it dissents. The wrongs contained in both are set forth and denounced, the unlawfulness and unconstitutionality of the chief provisions of the bill are proven in a masterly manner. Also the sections which assume to repeal Utah statutes which have no existence are pointedly designated. The infamy of the proposition to interfere with the property of the "Mormon" Church and to disfranchise and deprive of all political rights a large body of citizens solely because of their "associations," is depicted and condemned as opposed to every principle of our jurisprudence.

If the bill is discussed in the light thrown upon its enormities by this minority report, we do not see how any conscientious member can vote for its pasaage, nor how any lawyer can support it except on the grounds of rabid and unreasoning anti-"Mormonism." We understand that it would have been signed by arrest is insufficient. (Sanford vs. other members of the committee if it Nichols, 13 Mass., 289) had been prepared in time. But the majority report was finished so late in the session, that this had to be hurried opportunity must be given the person so much that it failed to receive that attention which its merits demanded. of Lis liberty without due process of We recommend it to the study of all law. This section may be used to cor-who are interested, pro and con, in the runt a witness by restoring him to scheme to despoil the "Mormon" Church of ifs property, and rob the majority of the people of Utah of the commonest rights of American citi-zens. zens.

> ----BIGAMY.

THE TUCKER-RDMUN: 8 BILL.

ing the year 1885. The statistics which they give disclose, moreover, the fact that polygamy has never been in uni-versal practice among the Mormons. It is undoubtedly true that a large ma-jority of the Mormons hold that their so-called revelation on the subject of polygamy was not mandatory but per-missive. Whatever the power and in-fluence of the Mormon Church may have been it has never succeeded with impressing its adherents with the beate them, and that the legislature of Utah had no power subsequently to confirm them. Section 16 requires the Attorney-General to cause proceedings to be taken to dissolve said corporations

impressing its adherents with the be-lief that polygamy was essential to sal-vation. It is not reasonable to suppose that this majority will naturally grow, and that if extraneousicauses do not interfere the minority will soon Dec. 1 1886

disappear? There is no difficulty in enforcing the law. The overcrowded penitentiary in Salt Lake City attests this fact. The penaltics are sufficient-ly severe. Deprived of the right to hold office, to vote, to serve on juries, with the certainty of swift and vigor-ous punishment following even constructive offenses, what motive can there be for monogamous or for un-married Mormons 10 offend against the laws already provided?

There can be but one danger, that in-temperate zeal on the part of those equitable owners thercof to the cost and loss and vexation of such litigation without, profit to any one other than those participating in such liti-gation for the prosecution. It is questionable whether the United States who enforce the law may excite a religious intemperance which will convert Mormons into religious zealots and superinduce a desire for martyrcan maintain a suit in a con-troversy in which it has no pecualary interest whatever. It has been repeatedly held in the State of dom. The legislation proposed by the original Senate bill, and by the substitute therefor reported by the majority, is, in our judgment, calculated to effect Massachusetts that the sovereign can something of this kind. It is unprecenot intervene by its attorney-genera in a litigation in which it has no pecudented in the United States, and for severity can only be compared with the non-conformist laws of Great Britain or the Biue Laws of Connectiniary interest, and this is specially so where the attorney-general on three

distinct occasions instituted proceed The specific objections which we de-sire to submit to the bill begin with section 2, reported by the majority of ings with regard to church property. In Attorney-General v. The Merrimac Manufacturing Company, 14 Gray

the committee. This section, as we believe, invades the personal rights, attacks and overthrows the personal 602, it is stated: Public worship may mean the worship o God conducted and observed under pub-lic authority, or it may mean worship in ar security of the citizen. This provision of the bill empowers the officers pen or public place, without privacy o named therein to arrest a citizen upon oncealment; or it may mean the ex parte affidavits and imprison indefiince of religious'exercises under a provisio nitely unless released on bail. It con-tains no provision for a hearing on the grounds of his arrest. It does for, or equal right in, the whole public to participate in its benefits; or it may b participate in its benefits; or it may be used in contradistinction to worship in the family or in the closet. In this country what is called public worship is commonly conducted by voluntary societies, const<u>i</u> tuted according to their own notions of se-clesiastical authority and ritual propriéty, opening their places of worship, and ad-mitting to their reliaious service such pernot specify any terms, nor generally the facts which shall be deemed sufficient, if proved, to auth-orize the imprisonment of the citizen, nor does it require that any facts shall be stated in the affidavits upon which the imprisonment is made. The sons and upon such terms and subject to such regulations as they may choose to party imprisoned is not permitted to designate and establish. A church absolute-ly belonging to the public, and in which all persons without restriction have equal controvert the ex parte affidavits, and, by disproving them, regain his liberty; nor can be show that the affidavits are persons without restriction have equal rights, such as the public enjoy in highways or public landings, is certainly a very rare institution, if such a thing can be found. Religious charities of various denomina-tions, incorporated by special acts of the legislature or undergeneral laws, or, as is often the case, consisting simply of a com-pany of persons associated together with-out any corporate capacity, and holding maliciously made against him and thereby secure his release. The only equirement of the law is that two citizens shall swear that, in their opinion, there is good reason to believe that the person imprisoned will up lawfully fail to obey a subpœna. This out any corporate capacity, and holding their property through the intervention of trustees, erect buildings and places of wor rule of procedure is arbitrary, anoma-lous, and unheard of. It is oppressive, ship, [consecrate them with religious cerewithout a precedent, and capable of great abuse, and is not justified by the ship, iconsecrate them with religious cere-mony, and make provisions in them for the due observance of sucraments and ordin-ances. * * * It has certainly been held in this Commonwealth, and we do not know, that it was ever suggested that the power of disposing of the property or of changing the use in which it should be applied did not remain as absolute and unque, tioned as in the case of any other real property.

The facts justifying must be first stated and ascertained, and after the arrest and before imprisonment an in the case of any other real property.

> The above case grew out of an at tempt on the part of the State of Massachusetts, through her attorney-general, to interfere in the matter of church business, and resulted in declaring that the State had nothing to ing in court to interfere with the trust

In the case of Attorney-General v. Proprietors of Meeting House on Fed-eral Street, Boston, reported in 3 Gray, imprisonment, and makes his release only possible by giving bond, and for pp. 48 and 49, a similar question was raised and decided: that reason, among others, is vicious. (Bradley vs. Fisher.)

Section 6 is uscless, inasmuch as

there are no such laws as are therein

from the beginning; that the State of support the child or wife, but makes Deseret had no authority to incorper-ste them, and that the legislature of lawful cohabitation on the part of the Vish had no now approximately to have a support sufficient evidence of un-lawful cohabitation on the part of the lawful cohabitation on the part of the husband. Such persons are now ex-cluded from the right to vote, sit upon a jury, or hold office. The corpora-tions which are dealt with in this bill are declared by the bill itself to be un-lawful, and by the report of a majority of the committeeto have no legal ex-istence whatever. The United States has no interest in any property of any kind belonging to any of these corpo-rations. Why oppressive proceedings mentioned in the preceding section. The status of these corporations, as fixed in the majority report, is that their charters are void *ab initio*. Yet one section of the bill dissolves them.

How any force can be given to the bill rations. Why oppressive proceedings should be begun that will result in to dissolve a corporation that never existed the undersigned cannot see. the sixteenth section is not content waste and destruction of private pro-perty in which the Government has no with the fact that the corporations nterest the undersigned cannot see Why criminal punishment shall be ex-tended to conduct never before in the history of the Government made crimhad never had any existence, and, with the further fact that, this law in terms dissolves them, requires the Attorney General to dissolve them over again. It seems to the undersigned that this nal is mexplicable. There is no evidence before the committee that the administration of the law as it now is is impeded in any way whatever. It is established before the committee that the law is being executed and enforced legislation can only operate to throw into litigation a vast amount of pro-perty in which the Government of the United States has no interest, and claims none by this bill, and subject the beneficiaries in said trust and the confide of the the cost against the persons denounced by law, and, in the opinion of the undersigned, the law as it now stands is sufficient, i criminal punishment can accomplish it, to remedy the evils of polygamy

complained of in Utab, R. T. BENNETT, PATRICK A. COLLINS.

LATEST DISPATCHES.

'AXING THE POOLSELLERS OF ST. LOUIS.

Controversy of the Green Glass blowers.

dore Thomas Ventures to Put

ish a Star.

By Telegraph to the NEWS.] nakers and Blowers' Con

froversy.

PHILADELPHIA, 1. - An important eature has entered into the controersy between the green glass manufacturers and blowers, over the abolition of the apprentice system. On tion of the apprentice system. On Monday night meetings of the local assemblies of glass blowers were held in Clayton, Mellville, Salem, Wood-bury, Williamstown and Glasboro, Pennsylvania, when it was decided they would not strike, as ordered by No. 149, Knights of Labor, but would surrender their charjers rather than do so. The blowers are working with do so. The blowers are working with apprentices and under a reduction in wages of five per cent. according to agreement entered into with manufacurers some weeks ago. The respecive charters of six assemblies were sent to the general secretary Charles H. Litchman at the general headquarters in this city yesterday.

Taxing Pool Sellers.

Sr. Louis, 1 .- An ordinance imposing a license of \$2,000 per annum on the bookmakers and pool sellers, was recommended to the municipal house of delegates for passage last night by the ways and means committee. It was laid over for one week. **President Cleveland is Attacked**

by Rheumatiam.

WASHINGTON, 1.—The President has been confined to his room for two or three days by a slight but annoying attack of Rheumatism, and has for this reason been obliged to deny himself to all callers, cannot Cabinet officers. He is feeling somewhat better to day. The President has suffered from rheuma-them before, but this is the first attack WASHINGTON, 1 .- The President has

he has had since he enterce the White

One red Cow about 4 years old, branded blossom as the rose. In a few more years the boundless basins will be pierced with innumerable syphons and the subteranean rivers will irrigate thousands of twenty-acre ranches. The railroad company would find it The railroad company would find it dewlap cut. The railroad company would find it profitable to hasten this result by fur-nishing free, a few thousand feet of iron pipe and gratuitous use of boring ma-chinery to such of its employees as are willing to devote a part of their time and energy to the enterprise. dewlap cut. dewlap cut. T Ron right ribs — on left hip, "V on left side, crop off both ears and underbit in right, dewlap cut. One black Cow, about 4 years old, T Ron right ribs — on left hip, "V on left side, crop off both ears and underbit in right, dewlap cut. One black Cow, about 3 years old, "V on left side, — on left hip, upperbit and under-bit in left ear, and underslope in right ear, dewlap cut. One black Cow, about 3 years old, "V on left side, — on left side, crop off white spot in face, "V on left side, crop off both ears and underbit in right, dewlap cut. One roan Heiter, about 6 months old, "V oa left side, crop off both ears and underbit in right, dewlap cut. **RRAD** Dunford's holiday announce ment in another column. He presents one red Heifer, about 3 years old, white mark across forehead and white belly 2, on an array of new, cheap and desirable articles worthy of buyers' earnest atleft side, illegible brand on left hip vented, "V on left side, crop and illegible brand on left hip, vented, "V on left side, crop and underslope in left ear, dewlap cut. One red spotted, line-back Calf, about 7 months old, "V on left side, crop off both ears and underbit in right, dewlap cut. One light red Cow, about 5 years old, J Y on right hm illegible brand on left hild. MARRIED. BROBERG-NESLEN ... At the residence of the bride's father, Juesday, November 30, 1886, by Judge Pyper, Miss Eunice M. Nes-len, daughter of W. F. Neslen, to Mr. Isaac wallowfork in both ears, dewlap cut. E. Broberg, both of this city. One brindle Ball, about 2 years old, with white belly and white head, gR combined white berry and white head, if a consistent of the set DEATHS. NEBEKER .- In the 19th Ward, Salt Lake City, Wednesday, December 1st, 1886, at 12:53 a.m., of venous hemorrhage, George, brands on both hips and thighs. V on left side. — on left hip, upper and under bit in left, dewlap cut. Wone spotted Heifer, about 2 years old, "V on left side, crop off both ears and un-derbit in right, dewlap cut. One brindle Steer, about 4 years old, J A on right hip, — on left hip, swallowfork and underbit in both ears, "V on left side, dew-lap cut. son of George and Susanna Merridith Nebeker; born January 22d, 1827; aged 59 years, 10 months and 8 days. Funeral services to be held in the 19th Ward school house on Friday, December 3d, at 12 m. Friends of the family are inap cut. One light red lineback Cow, about 6 years old. white telly, crop and underslope in lett ear, a on left side, - on left hip, -V on left vited to attend. ELLISON.-At Kaysville, Alice, wife of John Ellison, aged 66 years less 17 days, after an illness of nine weeks of consumption. side, dewlap cut. side, dewlap cut. One speckled Cow, about 7 years old, il-legible braud on left hip, "Von left side two upperbits in both ears, dewlap cut. One light red Cow, about 4 years old; J A on right thigh, I D on right hip — on left hip, "V on left side, crop and swallow fork in left ear, crop off right, dewlap cut. One red Cow, while belly, about 4 years old; J A on right hip — on left hip, "V on left side, crop, swallow fork and underbit in left ear and upper half crop in right, dew-She was born at Waddington, Yorkshire, England, November 25, 1820; was baptized in February, 1838, by the late President H. C. Kimball; emigrated to Nauvoo in the spring of 1841, shared in the persecution of the Saints at Nauvoo in 1846, crossed the plains in 1852, and settled in Davis County in 1853. eft ear and upper half crop in right, dew lap cut. One light red Cow, about 4 years old; — on left hip, "V on left side, under and up perbit and underslope in left ear, and un-derslope in right, dewlap cut. One roan tow, about four years eld; J V on right hip, — on left hip, "V on left side, crop, swallow fork and underbit in left ear. Which will be sold, or so much thereof as may be necessary to nay the Tayes and CLARK .- November 27th, 1886, at the residence of G. R. Jones, Empire Lime Kiln, of typhoid pneumonia, Mary Ann Clark, eldest daughter of William and Eliza Clark, formerly of Tupton, England, aged 20 years. 8 months and 13 days. Funeral services were held yesterday. may be necessary to pay the Taxes and Costs, at Public Auction, in front of the County Court House, Beaver City, on the 22d day of December, 1836, at 10 o'clock a. Mill. Star, please copy.



WHEREAS THE TERRITORIAL W School and County Taxes assessed to the Ryan Ream Cattle Company for the year 1886, amounting to \$1,033.80 remain un Therefore, I, Samuel N. Slaughter, Col-

Intercore, 1, sander A. Staughter, Col-lector for Beaver County, by virtue of the au-thority rested in me by the provisions of An Act of the Legislative Assembly of the Ter-ritory of Utah, entitled "An Act to provide Revenue for the Territory of Utah and the several Counties thereof," approved Febru-ary 22, 1878, and of the amendments there-to, have levicd uton the following named property, to-wit:

One red and white 4 year old Heifer branded -V on left aide, JA on right hip, Shrubbery and Evergreens. out tested varieties.

Ground Plans Drawn and Satisfaction Sumranteed. Cut Flowers, Live Plants and Sequets. Floral Designs neatly arranged. Budding, Pruning and Grafting attended t For Country Trade solicited. Best of Cit

SAMUEL N. SLAUGHTER,

JOSEPH H. STAY,

SALT LAKE CITY.

and Eastern References given



1886. Z.C.M.I. 1887.



---- COMPLETE LINE OF -----STAPLE and FANCY GROCERIES.



CIIINA, GLASSWARE & LAMPS.





to serve as jurors, and to hold office. It matters not that they entered into the polygamous relations long before they were made criminal, the penalty of disfranchisement and disqualification is imposed. The offense of unlawful cohabitation created by the act of Congress ap-proved March 22, 1882, as construed by the court of last resort, can be con-structively committed, and persons