

Continues the powers and duties of the Utah Commission, until the same shall be superseded by the Legislative Assembly of Utah and the subsequent approval of Congress;

Limits the right of suffrage to male persons, who as a precedent condition to the exercise thereof shall have registered their names as voters, and subscribed an oath or affirmation that "he is over 21 years of age, has resided in the Territory six months, and in the precinct of his residence one month; including in such oath or affirmation a statement, according to the fact, that he is a native-born or naturalized citizen of the United States; and of his age, with his place of business, if a status, whether single or married, and, if married, the name of his lawful wife; that he will support the Constitution of the United States and faithfully obey the laws thereof, especially the act of 1882 and this act in respect of the crimes in the same defined and forbidden, and will not directly or indirectly aid or abet, counsel or advise, any other person to commit any of said crimes;

More. It renders every person ineligible to serve as an officer or juror in the Territory who has not taken the oath therein set forth, similar in form, and absolutely disqualifies every person for such a office, as also to vote in any election therein, who has been convicted of any crime in either of the acts mentioned, or who shall be a polygamist or in association or cohabitation polygamously with a person of the other sex;

Moreover, the act suspends the laws of the Territory providing for the method of electing and appointing the territorial superintendent of district schools; abolishes that office, and devotes its powers and duties upon another officer to be appointed by the Supreme Court of the Territory; restricts the quantity and mode of tenure of the land which may be held by religious bodies, and annuls all local laws on that subject; provides that the militia of Utah shall be organized and subject in all respects to the laws of the United States regulating the militia in the Territories, and that the general officers of the militia shall be appointed by the Governor of the Territory, by and with the advice and consent of the Council thereof.

The vigorous enforcement of these laws has resulted in a sense of quietude and insecurity in the mass of the Mormon population, and, as we have before said, the indications of an important change are apparent. The truth of this statement is corroborated by the answers of the Utah Commission of the territory and others set forth in the appendix numbered II., III. and IV. respectively, which are cited for what they express apart from any inference respecting further legislation.

It is admitted, however, that these answers designate no definite, or approximate period when polygamy in Utah may be expected to cease; indeed it is deemed impracticable to do so. For ourselves, we may repeat, that the practice of polygamy appears to be declining and in the course of ultimate abandonment, and that our observation leads us to believe that the present intention of the ascendant numbers of the monogamous Mormons is to compass and hasten that end.

The questions remaining relate to the admission of Utah as a state, and the consequent surrender of the power of Congress over the subject of polygamy under the existing constitution of the United States. With respect to the first question, we have only to say that it appeals solely and properly to the sound discretion of Congress, where we are content to leave it without further remark.

As to the second question, it evidently now engages earnest public attention, and divides opinion. Considering these facts, and the importance of continuing the power of Congress over the subject of polygamy; and of relieving the power from any question, we venture respectfully to recommend the adoption of an amendment to the constitution of the United States, prohibiting the institution or practice of polygamy in any form in the states, and in the territories or other places over which the United States have exclusive jurisdiction, supplemented with appropriate power of legislation to carry it into full effect. This recommendation is in accordance with propositions which have already been submitted, respectively, in the Senate and House of Representatives, of which that in the House was supported by an able, and elaborate report from its judiciary committee.

Such an amendment would put an end to special and provisional legislation upon a disturbing question which legislation must cease to operate with the cessation of the territorial status. It would raise an implied and incidental power, primarily drawn from the power of Congress "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States," to the dignity of an express power imbedded in that instrument itself.

Other considerations favor it: would inure us a solemn and deliberate verdict of the American people against the practice of polygamy, either as a social institution or religious rite. It would serve as a rampart for the protection of monogamy, the bed-rock of American and European civilization, against the inroads of an Asiatic vice. It would be an authoritative notice to immigrants from all lands that the United States are dedicated to the virtues of

monogamy, and, passing as a lesson into the common schools of the country, would form the minds of rising generations in harmony with its ideas and object. Yours respectfully,

A. B. CARLTON.  
JOHN A. MCCLERNAND.  
Hon. L. Q. C. Lamar, Secretary of the Interior, Washington, D. C.

#### Appendix

I.  
OFFICE OF THE UTAH COMMISSION,  
SALT LAKE CITY, May 2, 1887.  
The following letter is published for the information of the registration officers:

OFFICE OF THE UTAH COMMISSION,  
SALT LAKE CITY, April 23, 1887.

Hon. C. W. Bennett—Dear Sir: In response to a request by a committee of gentlemen that called on this commission several days ago in reference to a change of the form of the registration oath which has been furnished to the registration officers throughout the Territory, we would respectfully say that we are not convinced of the propriety, or necessity, of making such change, for a number of reasons, among others:

1st. Because we are satisfied that the oath furnished by us is in accordance with the law.

2nd. The modifications proposed by you, if equivalent to the language employed by the act of Congress, are unnecessary; and if not in accordance with the act, they are illegal.

The law is one declaring the political disfranchisement of the citizen under certain conditions. We hardly need add that such laws, as a rule, are viewed critically and construed strictly by the courts, in favor of political manhood.

3d. The request comes at such a late day (the registration beginning May 21) and so long after the printed forms of affidavits to the number of 35,000 have been distributed over the Territory, that the proposed change would occasion much delay and great unnecessary expense.

4th. Plainly, it is not the intent of the law to prescribe any religious creed to the citizen, but to prescribe a rule of action, irrespective of his present or future secret intentions or convictions, or the change of any of them. The oath we have formulated in the terms of the law is but auxiliary to the enforcement of the actual observance of the law and the rule of action prescribed by it; hence, as a conclusion, it is equally plain to us, that whosoever takes the oath and transgresses the rule it prescribes by perpetrating a prohibited and punishable crime, thereby incurs not only the strain of moral penalty, but liability to legal punishment for the commission of any such prohibited crime; and this consequence would as logically and necessarily follow the infraction of the form of oath which we have furnished as the interpolated form which has been proposed.

5th. The fact that Congress has prescribed the oath is, in itself, an assumption by that body that the oath will not be vain, but be practically binding upon conscience and useful. Otherwise, why the legal requirement of the oath? Nor is this construction inconsistent with either the municipal or moral law which respectively presume the honesty and innocence of the individual, until that presumption is overcome by competent proof.

6th. Since the interview with the committee at our rooms, we were advised that a written communication was to be presented by the committee, and afterward we received information that it would not be presented. We therefore make this reply, desiring to be entirely courteous to the committee, apprehending that further delay might be misconstrued.

By order of the commission.  
W. C. HALL, Sec'y.

II.  
FROM HON. CHARLES S. ZANE.  
OFFICE OF THE UTAH COMMISSION,  
SALT LAKE CITY, August 10, 1887.

Hon. Charles S. Zane (U. S.), Judge Third District, U. T.

DEAR SIR—In view of your great experience and eminent service as a judge in this Territory, I beg to ask of you brief answers, as master of useful information, to the following questions:

1st. Whether, in your opinion, the existing laws, diligently and strictly enforced, may be reasonably relied on to work the cessation of polygamy as a practice?

2d. Whether any case originating in the commission of the crime of polygamy since the date of the Edmunds-Tucker act has come under your judicial notice?

3d. Whether, in your opinion, the alternative provisions of that act extending the electoral franchise to those complying with their conditions, and denying it to those not complying with them, or who are otherwise disqualified, have materially prompted the present movement for a constitutional inhibition of polygamy.

(Signed.) Your Obedient Servant,  
JOHN A. MCCLERNAND.

To the first question propounded within, I answer yes.

To the second question, I answer no.

To the third question, I answer yes.  
(Signed.) C. S. ZANE.

III.  
FROM HON. WM. G. BOWMAN.

OFFICE OF THE UTAH COMMISSION,  
SALT LAKE, August 16, 1887.

Hon. Wm. G. Bowman, Surveyor General, U. S., U. T.

DEAR SIR—Permit me to enquire

whether, from personal and official observation, you are of opinion that the laws of the United States are working with increasing and encouraging effect a reformation of the practice of polygamy in this Territory?

(Signed.) Your Obedient Servant,  
JOHN A. MCCLERNAND.

SALT LAKE CITY, Utah,  
August 17, 1887.

MY DEAR GENERAL—My answer to above interrogation is a decided yes. The change in Mormon sentiment in the last year has been marked and encouraging on the question of the suppression and abandonment of polygamy. Truly your friend,  
WM. G. BOWMAN.  
(Signed.) U. S. Surveyor General.

#### IV.

LETTER OF HON. HADLEY D. JOHNSON.  
SALT LAKE CITY, Utah,  
September 1, 1887.

To Hon. A. B. Carlton and Gen. John A. McClernand.

GENTLEMEN—Your esteemed note of August 17th has been at hand for some days, and after some delay, having been somewhat indisposed, I shall attempt a reply to your inquiry.

You ask me, "what in your (my) judgment will be the efficacy of the laws of the United States, particularly the Edmunds-Tucker act, in putting a stop to the practice of polygamy in this Territory?" (Utah?)

I have been somewhat acquainted with a good many of the Latter-day Saints, as they call themselves, since the year 1851, at which time I located at Council Bluffs, Iowa, at which time most of the inhabitants of that place and vicinity were of the Mormon faith, and, although never having been sufficiently intimate with them to become acquainted with the inside workings of their "peculiar institution," I have not been unobservant of its outside effects and influences.

The bill introduced into Congress providing for a territorial government in Utah, became a law in 1850, and from that time until 1862 Congress, although doubtless fully aware of the open practice of this offense (polygamy) in Utah, failed to enact any law prohibiting the practice in the Territory.

Even after the enactment of 1862, no efforts of any importance seem to have been made to enforce it for many years, the Mormons claiming and no doubt believing the law to be unconstitutional, and remaining unmolested; continued openly to avow their unlawful practices.

To test the constitutionality of the law of 1862, an appeal was taken to the Supreme Court of the United States, and that tribunal decided the law to be constitutional.

Recently, however, there seems to have been a change in the nature of the efforts to punish violators of the law against polygamy and unlawful cohabitation. By unyielding and determined, yet humane efforts, the law is now being enforced to such an extent (that) the open and avowed practice of polygamy is unknown here.

But you want my opinion. Therefore to be more explicit I will remark, that if judicious, legal and humane efforts shall continue to be made by those having authority to enforce the laws now in existence, in a spirit of fairness and without apparent or real malice, I am prepared to believe that the "peculiar institution" may be repressed in the not distant future, or if not entirely suppressed, it will become so unpopular that the younger members of the church will repudiate the system, and that as a tenet of the Mormon Church, it will become obsolete and fall into a state of "innocuous desuetude."

As you are aware, at the late Constitutional Convention held in this city, among the provisions adopted by the body, was one providing for a total prohibition of the practice of polygamy in the proposed state. There are different opinions as to the good faith of the members of the convention—some people holding that the adoption of this provision was a mere sham, intended to deceive Congress and the people of the States, and by means of this deception to procure admission into the Union of the States, while others believe that the proposition was made in good faith, and that if the State should be admitted the provision would be carried out to the letter. What might have influenced the majority of the convention I, of course have no means of determining. All that I know is that some of the members were and are sincerely desirous that the system of polygamy should be eliminated from the Mormon Church. I say I know such to be the case, but, perhaps, it would be nearer the truth to say I firmly believe it.

If statehood should be granted at once, or if those who clamor for a legislative commission succeed in their efforts, the result might be different.

From what I have said you may reasonably infer that I do not think any change is at present desirable in the laws of Congress on this subject. Let the government persist in a just and vigorous effort to enforce existing laws, and, I believe, a change will take place for the better—one which will redound to the interest and peace and happiness of the people of Utah—and in time, when they become reconciled, they will be permitted to assume and

enjoy the inestimable blessings of statehood."

Very sincerely your friend,  
(Signed.) HADLEY D. JOHNSON.

(NOTE.—The author of the letter containing the foregoing extracts was an early and prominent actor in public affairs, successfully in Indiana, Iowa, Nebraska and Idaho, and is now and has been for years a resident of Salt Lake City.)

#### John Bullock's Death.

LOWESTOFT, England,  
Sept. 20, 1887.

In the party that left Salt Lake City for an excursion, May 30th, was Elder John Bullock, who emigrated several years ago from Pulham Market, Norfolk County, to Utah. He returned to visit relatives, collect genealogies, and attend to some business matters. I am informed that he met with unkind treatment at the hands of his brother here, who refused him the hospitality of his roof, etc. Brother Bullock therefore made his home at the house of his nephew, and in a short time was taken ill with internal obstruction, which resulted in his death, after ten days' suffering. He died August 19, 1887, and his body was interred in Pulham Market Cemetery. Deceased was about seventy-six years of age. His wife died about two years ago, and they left no family.

I am informed that his personal property was bequeathed to Mrs. Castleton, of the Seventh Ward, Salt Lake City. He held the office of High Priest in Zion. While here he loved to converse on the principles of the Gospel, and at his death, he requested that his body be cared for in the usual way, and stated that his spirit was going to mingle with the blessed.

The Elders of the Norwich Conference knew nothing of his illness until after his death, but a Brother Foulger, of Salt Lake City, attended the funeral. Any inquiries may be addressed to Mrs. Edward Bullock, Colegate End, Pulham Market, Harleston, Norfolk.

Respectfully,  
JAMES J. CHANDLER.  
—Millennial Star.

#### In Cache Valley.

Last Thursday Mr. G. Thompson, of the Fourth Ward, Logan, was arrested on a charge of unlawful cohabitation, by Deputies Steele and Whetstone. He was taken before Commissioner Goodwin and bound over in the sum of \$1,000, S. F. Ballif and Hans Anderson being the bondsmen.

On Wednesday afternoon a man named David Hutchinson, of Wells-ville, was chopping timber, at a point south of that place. While in the act of swinging the ax it struck on a limb over his head, and descended upon his left foot, cutting that member nearly off, starting in just below the instep. The cut bled a great deal, making the injured man very faint. He was brought to Logan and Dr. Ormsby dressed the wound, and at last accounts Mr. Hutchinson was progressing favorably. —Logan Journal, Oct. 8.

#### Under the Edmunds Law.

In the First District Court yesterday morning Christian M. Peterson and A. E. Berline changed their former pleas of not guilty on the charge of unlawful cohabitation and entered pleas of guilty. Sentence in each case will be passed on October 25th.

The following cases will be called for the arraignment of defendants, on the 25th inst.: United States vs. Jas. C. Gasbury; United States vs. Alvin Nichols; United States vs. Christian Hansen; United States vs. Haus Funk; United States vs. B. C. Crichtlow; all charged with unlawful cohabitation. —Ogden Herald, Oct. 13.

#### BUCKLEN'S ARNICA SALVE.

THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetters, Chapped Hands, Chillsbains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box.

For sale by Z. C. M. I. Drug Store.

If the food is not properly digested it becomes corrupt, and poisons the system it is intended to nourish. This is indigestion.

"My wife has suffered for many years with indigestion. After trying everything else recommended, she tried Simmons Liver Regulator. In three days after taking it according to directions she was in perfect health; she does not suffer at all and can eat anything she wants to without any of her previous symptoms."

W. C. SUBERS, Bainbridge, Ga.

I have been a great sufferer from catarrh for over ten years; had it very bad, could hardly breathe. Some nights I could not sleep—had to walk the floor. I purchased Ely's Cream Balm and am using it freely, it is working a cure slowly. I have advised friends to use it, and with happy results in every case. It is the one medicine above all others made to cure catarrh, and it is worth its weight in gold. I thank God I have found a remedy I can use with safety and that does all that is claimed for it. It is curing my deafness.—B. W. Sperry, Hartford, Conn.

#### DISEASE IMPOSSIBLE.

Yes, utterly "impossible," when all malarial poisons are driven out of the system, leaving the Blood New, Rich and Pure. No place for eruptions, ulcers, or Rheumatism, when all Blood taint has been eradicated by the use of

#### BROWN'S SARSAPARILLA

and Dandelion with Iodide of Potassium. Thousands of witnesses, among them the best Druggists and Physicians, testify to the wonderful cures wrought by

#### BROWN'S SARSAPARILLA,

all diseases of the Blood, Liver, and Kidneys. Use only the BEST medicines.

#### ELY'S CATARRH

Cream Balm

Cleanses the Nasal Passages, Allays pain and Inflammation, Heals the Sores, Restores the Senses of Taste and Smell.

TRY the CURE

A particle is applied into each nostril and is agreeable. Price 50 cents at druggists; by mail, registered, 60 cts. ELY BROTHERS, 235 Greenwich St., New York.

#### NOW—THE TIME TO SPECULATE.

ACTIVE FLUCTUATIONS IN THE Market offer opportunities to speculators to make money in Grain, Stocks, Bonds and Petroleum. Prompt personal attention given to orders received by wire or mail. Correspondence solicited. Full information about the markets on our Book, which will be forwarded free on application.

H. D. KYLE, Banker and Broker,  
38 Broad and 34 New Sts., New York City.  
daw

#### ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One red HEIFER, about 2 years old, branded J K with half circle over it on left hip, crop off left ear, swallow fork in right, and point of right horn gone.

If not claimed and taken away within ten days from date, it will be sold to the highest cash bidder at the estray pound, Joseph, October 11th, 1887, at 2 o'clock p. m.

JOHN ROSS,  
Poundkeeper.  
Joseph, Sevier Co., U. T., Oct. 8, 1887.

#### ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One dark bay HORSE, 5 years old, brand resembling O C (dot in center of O) on left shoulder, W C on right hip, and ears split.

If not claimed within ten days, it will be sold to the highest responsible bidder, October 18th, 1887, at 10 o'clock a. m., at the estray pound, Woodruff, Rich Co., Utah.

MARCUS O. VOSE,  
Poundkeeper.  
Woodruff, October 8, 1887.

#### ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One bay MARE, about 15 or 20 years old, white strip in face, right front foot and left hind foot white, branded O R on right thigh and vented on right shoulder, an indelible brand on left thigh and vented on left shoulder, and U in a circle on left thigh.

If not claimed within 10 days, they will be sold to the highest cash bidder, at the estray pound in Kanosh, Saturday, October 11th, 1887, at 10 o'clock a. m.

ANTHONY PAXTON,  
District Poundkeeper.  
Kanosh, Millard County, Utah, October 7, 1887.

#### ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One sorrel MARE, 6 or 7 years old, white strip in face, 3 white feet, branded O on left shoulder, and F 2 on left thigh.

One sorrel MARE, 1 year old, white spot in forehead; no brands.

One chestnut sorrel; OLT, about 5 months old, white spot in forehead; no brand.

If the above described animals are not claimed and taken away, they will be sold to the highest cash bidder, Tuesday, October 18th, 1887, at 2 o'clock p. m.

A. J. RUSSELL,  
Poundkeeper.  
Goosberry, Sevier Co., October 7th, 1887.

#### ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One dark red HEIFER, about 1 1/2 years old, tip of tail white, and crop off left ear; no brand visible.

Which, if not claimed within 10 days will be sold to pay damages to the highest cash bidder, at 10 o'clock a. m., October 22d, at Butlerville estray pound.

CHARLES WOOLTON,  
Poundkeeper.  
Butlerville, October 10, 1887.

#### BEES FOR SALE.

AN APIARY OF THIRTY-SIX HIVES in good condition will be sold cheap for cash. The reason of selling, I am engaged in other business and I can't attend to them.

For price and terms write to  
JOHN DUNN,  
Tooele City, Tooele County, Utah.  
d s & w lm