

tutions and principles of the system of religion called "Mormonism" cannot be attacked by constitutional law, just as truth cannot be fought with truth, and while the polemical opponents of our faith must use error in their onslaught, so its political enemies have to resort to unusual and extraordinary methods to have any hope of success. The gentlemen whose brief speeches we here place on record are deserving of credit, for their courage in maintaining the principles of constitutional liberty in connection with a subject and a people who are so widely unpopular:

HON. PERRY BELMONT, OF NEW YORK.

Mr. Speaker—I have but a word to say in this connection. I shall not vote for this bill, because I desire effective and proper legislation against polygamy and because I am not willing to submit to a measure so ill-considered that its evil consequences may easily be foreseen. Even those who are loudest in the clamor for the immediate and hasty passage of the measure as it now stands before the House are obliged to confess that it is not what it should be. Many who content themselves with voting in its favor say that it will disappoint its framers and will not accomplish the purpose for which it is intended; and I feel satisfied that such is the fact. Before this session of Congress is over it may become necessary to remedy its glaring defects, but until that is done I will not lend it my support.

HON. ABRAMS HEWITT, OF NEW YORK.

Mr. Speaker: Polygamy can have no defenders in this House. We all agree that it is a blot on our civilization which should be wiped out. But in wiping it out we must be careful not to destroy the foundation of our political system. The bill pending before the House in the eighth section contains a provision to which no friend of civil liberty can give assent. It punishes before trial and without conviction. It deprives citizens of the right of suffrage upon suspicion, and not upon proof and judgment of any other tribunal than the will of the inspector at the polls. Polygamy can be stamped out without resorting to a remedy which if generally applied would vitiate our whole political system and convert our elections into a mockery of justice. No consideration of expediency, no amount of clamor from persons, however worthy, who are ignorant of the fundamental conditions by which civil liberty exists, will ever induce me to give assent to a remedy which, worse than the disease, is based upon a doctrine so radically wrong that its admission into our code of political ethics would be fatal to free government elsewhere than in Utah. Hence I have voted to strike out the eighth and ninth sections of the bill; but as this amendment has failed, I am constrained to vote against the bill, not because I detest polygamy less, but because I love constitutional government more than those representatives who support this measure.

HON. NEWTON C. BLANCHARD, OF LOUISIANA.

Mr. Speaker—What I shall say in reference to this bill will be in vindication of the vote which I will be shortly called to give thereon. I do not propose to occupy the time of the House in any elaborate discussion of the question presented, but merely to give the reasons why I cannot sanction by my vote the passage of the bill in its present shape.

That I am utterly opposed to polygamy in all its forms none will dare deny; that I would vote with alacrity, ay, with pleasure, to strike it down whenever that question is presented in a manner not subject to constitutional objection is equally true.

But, Mr. Speaker, I agree with the gentlemen who have preceded me in opposition to the particular bill that it not only disposes of polygamy, but a good part of the Federal Constitution as well. As stated, I am ready at any and all times to dispose summarily of polygamy, but even in these degenerate times (politically speaking) I find I have still left sufficient reverence and veneration for that grand old instrument bequeathed to us by the fathers of the Republic to prevent me from violating its letter or spirit. Those gentlemen who, seeing no constitutional objections to the bill, can conscientiously vote for it I envy, for I

would like to be free from doubt so as to vote the same way.

I regard this bill as disqualifying men for opinion's sake. I regard it as presenting, in some of its features, an *ex post facto* law. I regard it, as to some of its provisions, as a bill of attainder.

Its ninth clause virtually creates a "returning board," giving it extraordinary and dangerous powers in matters of election. We in Louisiana, Mr. Speaker, have had some experience with "returning boards." The monster originated there, having been the unholy offspring of political corruption and greed of usurped power. Our experience with him was a painful and bitter one before he was finally throttled. We would, therefore, spare the people of Utah, whether they be "Gentiles" or "Mormons," the infliction. A "returning board" is too great a punishment even for a "Mormon."

Lastly, Mr. Speaker, this bill creates certain offenses and denounces certain penalties as a punishment therefor, one of which is ineligibility to office. But it provides no process of law for the ascertainment of the question of the innocence or guilt of the party accused. For these and other reasons which might be mentioned, I cannot vote for the bill.

HON. H. A. HERBERT, OF ALABAMA.

Mr. Speaker, like all the gentlemen who have spoken on this question, I am heartily in favor of the purpose of the bill although I deprecate its methods. No gentleman on this floor has a greater horror of polygamy than I have. It is a blot on our civilization, and I would gladly vote for any bill that would extirpate it root and branch, provided the bill were so drawn as not to violate principles that ought to be inviolable in our legislation. I believe it is in our power to frame such a law. We could do this here and now if we are permitted to discuss this bill and amend it. This we are not permitted to do. We are forced under the gag-rule to vote for this bill without amendment, vote for it with all its obnoxious features, or vote against it. I accept the responsibility and I will record my vote against it. I know that the gentlemen who have had the power to cut off amendments have the power to pass it and will pass it, but they shall not force me to vote for a retroactive law. They shall not force me to vote for a returning board. I do not deny the power of Congress to disfranchise the polygamists of Utah. Congress has full power of legislation over the Territories—it has full power to say that polygamists shall not vote or be elected hereafter to office in Utah. I favor that feature of this bill. I believe we have full power to abolish the present government of Utah and govern it by a commission. I would prefer to do this: to destroy every office in Utah rather than resort to the odious method of preserving an office and legislating the officer—the particular incumbent—out of an office to which he was legally elected. Cannon, who claims to be Delegate from Utah, claims that he was elected by 15,000 votes. If he was, he had the right under the law as it then stood to be elected—the right under our laws to hold the office. Shall we now say, as this bill in effect says, the office of delegate shall stand, but the officer who was lawfully elected and lawfully qualified to fill it shall not hold it? Shall we, because the public mind is excited over the question of polygamy, violate sound principles of legislation? This kind of legislation is most eloquently denounced by Chancellor Kent, in the case of *Dash vs. Van Kleeck*, 7 Johnson's Reports, 506. I will read from it:

There is no distinction in principle nor any recognized in practice between a law punishing a person criminally for a past innocent act or punishing him civilly by divesting him of a lawfully acquired right. The distinction consists only in the degree of the oppression, and history teaches us that the government which can deliberately violate the one right soon ceases to regard the other.

In this same case, that eloquent lawyer shows that this odious retroactive legislation is condemned by the Roman law, condemned by the French law, condemned by the common law, and that in every civilized system of jurisprudence it is looked upon with "disgust and indignation."

Then, Mr. Speaker, this bill provides that there shall be appointed by the President a board of five, who shall have power to appoint all the officers of election, and these officers shall have full power to decide who shall vote and who shall

be entitled to seats in the Territorial Legislature, and that without any right of appeal except to the very Legislature which is the creature of these officers. Sir, this is the Louisiana returning-board over again. It is worse still. That infamous returning board in Louisiana had only the power to throw out votes. This board has the power not only to throw out votes, but to throw overboard the candidates who are voted for. It is true, sir, the bill provides that the board shall not be all of one party, that not more than three of the five shall belong to one party. That will be three to one. Is this any better than eight to seven?

Sir—I have denounced returning-boards a hundred times. Shall I now, by this very political party I have so often arraigned for resorting to such methods, be compelled to vote for a returning board myself? No, sir; never! Never will I sanction by my vote such a sham, such a hollow mockery of liberty, as setting up a semblance of republican government and giving a board of five men and their appointees all the substance of power—the power to undo whatever the voters have done; the power to mould and shape the politics of a Territory to suit themselves. If gentlemen on the republican side of this House are unable to frame a bill to suppress the evils of polygamy without violating every sound principle of legislation, let them open the bill to amendment, and we will perfect it for them.

Correspondence.

Treatment of Pinkeye.

MANTI, March 27, 1882.

Editor Deseret News:

The American Horseshoe and Hardware Journal, published in Chicago, of March 15th, 1882, has the following:

"Regarding the treatment of the disease termed 'Pinkeye,' of course the symptoms vary in different cases, but I will give some general directions which will be found serviceable. The horse should be placed in a well ventilated stall, but not where it is exposed to any draughts. Warmly clothe the body and bandage the legs loosely with flannel bandage. Feed only on mill feed with a little cut hay during the sickness—no grain or long hay. Give one of the following powders on the tongue twice a day: Nitrate of potash one ounce, pulverized gentian half an ounce, and 30 drops of the following medicine in the water four times a day: Tincture nux vomica, four drachms, tincture belladonna, three drachms, tincture aconite root, one drachm. W. A.

CLARK'S FORK, York County, S. C., March 22nd, 1882.

Editor Deseret News:

I labored ten months in North Carolina in connection with Elder J. H. Moyle and others, until the latter part of November last. At this period of time it was deemed prudent by those who have the Southern Mission in charge to endeavor to effect an opening in South Carolina. I was counseled to choose one of the Elders who had just arrived in Burke County, N. C., and make the trip. Accordingly Brother J. M. Easton and I left the above named place on November 19, and took a march of about 60 miles southward, which landed us in the northwest part of North Carolina. In the late war, some of the Confederate troops were called "tar heels," but by this time I could, with propriety, term my companions "sore heels." Nevertheless we felt to rejoice, knowing it was done in a good cause, and there is no excellence without labor.

I called on Professor Earls, Baptist preacher, who is Principal of the Gownsville Academy, and asked permission to preach in his church. At first he had no objection, but when he found out I was a Latter-day Saint or "Mormon," he didn't think they could allow us that privilege. He then said, "I would like to know something about your doctrine." I told the reverend why he and all others were not acquainted with our principles was because of the step he was now taking.

We concluded to travel further east, so took the cars to Gaffneys in the eastern portion of Spartanburg County. It was night when we ar-

rived here, and we pushed out as "Mormon" Elders generally do, to procure entertainment. After walking some distance, and being referred to different persons in vain, we at length found a Baptist Deacon, who made us welcome, at the same time desiring us to preach in Mount Ararat Church. We agreed, and fixed next day, Sunday, for the time. Early on the following morning, he dispatched boys on horse back to spread the news, he also mounting a horse for that purpose, carrying one of our tracts in his hands. Not many minutes past before the good deacon came back in a great rush, bringing others, who began to "foam out their shame like the raging waves of the sea," asking "why we had come to break up their family ties and carry their fair daughters off to Utah," etc. These were soon put to silence and we were next introduced to a Mr. Blackburn who had been numbered with Johnson's army, but now a Baptist preacher; he of course professed to know all about the "Mormons." This "hireling" frothed like a mad dog, and beat a retreat as in former days. Thus ended the Ararat meeting, and we feel they had need "to bring forth fruits meet for repentance" before they would be worthy of the Gospel.

We crossed into York County, where through the blessings of the Lord we have brought some to a knowledge of the truth. Our labors in this county have been around King's Mountain, where we held six meetings.

At our first meeting Thomas Mullinar, pastor of the King's Mountain Baptist Church, which did number 26 members, endeavored to prohibit us from making further appointments, and since then he and others have exerted themselves and all that lay in their power, by manufacturing and circulating lies among the people. He has put himself to much trouble to have us arrested, but in vain, even telling the people "we ought to be killed, tied to a stake and burned to death, and that to be a slow fire, that we would be driven out of the State before six weeks, and all who entertained us." We paid but little attention to either threats, but preached the glad tidings of great joy to all who would listen and whenever opportunity afforded.

Mr. Mullinar, "whose feet are swift to shed blood," who would like to kill, and think by so doing he would do God service, is no other than the impostor who proceeded down into the water a short time ago to endeavor to administer the ordinance of baptism, at the same time carrying a pistol in his pocket to shoot his son-in-law, who had married his daughter against his will.

On one day we baptized six, including their secretary and chorister, shortly after the deacon followed, and they have come along one by one, until now the King's Mountain church which numbered 26 is almost defunct. Within two days of the appointed time for our leaving the State, fifteen Latter-day Saints met in the house of the once deacon of the Baptist church, and organized the King's Mountain branch of the Church of Jesus Christ of Latter-day Saints. What great joy and satisfaction it gave us to behold the faces of so many who had been brought into the fold of Christ, all baptised "by the one spirit into the one body" in this state where the late war first broke out, as was predicted by the Prophet Joseph Smith.

On the 11th inst., after baptizing four more, we met in the same place, when we confirmed these and blessed 11 children. The Spirit of God whispered peace to our souls, and all felt to rejoice and sing praises to Him who is the giver of all good.

This branch numbers 31 souls, 20 of whom have been baptised and 11 blessed. Three have been ordained to the Priesthood, including an Elder and two Priests.

May the Lord speed the time when all people can hear the glad tidings.

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NOTICE TO CREDITORS.

ESTATE OF JOHN VANCE, DECEASED.

Salt Lake City, Utah Territory.

NOTICE IS HEREBY GIVEN TO ALL the creditors of the late John Vance, deceased, and those having claims against his estate, to present and exhibit them with the necessary vouchers within ten months after the first publication of this notice to the undersigned administrator of the estate of the said John Vance, deceased, at the residence of said administrator, on Sixth South Street, between East and West Temple Streets, in Salt Lake City, Salt Lake County, Utah Territory; and if said claims are not presented in the time required, they will be forever barred.

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NOTICE FOR PUBLICATION.

LAND OFFICE, AT SALT LAKE CITY,
U. T., March 24, 1882.

NOTICE IS HEREBY GIVEN THAT THE following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver at Salt Lake City, on April 8th, 1882, Homestead Entry 2904, viz: James Gillespie, Salt Lake County, Utah, for the S. half of S. W. quarter of Section 18, T. 1 N. of R. 1 W.

He names the following witnesses to prove his continuous residence upon and cultivation, of said land, viz:

James Thompson, of Brighton Ward, Salt Lake County, U. T. Amos Thompson, of Brighton Ward, Salt Lake County, U. T. Stanley Taylor, of Brighton Ward, Salt Lake County, U. T. Robert Hazen, of Brighton Ward, Salt Lake County, U. T.

H. McMASTER, Register.

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