

THE MISSIONARY'S FAREWELL TO ZION.

BY ROBERT MARSHALL, TOQUERVILLE.

Farewell to Zion's daughters, to her noble sons, farewell;
To her aged sires and mothers that in all her valleys dwell,
To her schools and happy children, so bright, so young and fair,
To her Temples and her altars, and her solemn house of prayer.

Farewell to Zion's valleys, to her woods and mountains high,
To her bright and fleecy cloudlets and her star-bespangled sky;
To her ranges, plains, and meadows, and her birds on bush and tree,
To her rock, and rill, and river, to the voice of humming bee.

Farewell to dewy evening, and to summer's rosy morn,
And the sun's bright, golden spendors that our lovely hills adorn;
To the cañon's bowers of beauty, and the lake's pellucid breast,
And the perfumed, calm recesses where the bluebird builds her nest.

To the wild flowers of the desert and the cactus on the plains,
To the camp fire's merry laughter, and the saddle, spur and reins;
To the dance and song and music, and the witching glance of love,
And the tender breath of roses and the cooing of the dove.

Farewell to homes of childhood which the light of love illumines,
Where the apple scents the breezes and the peach tree blossom blooms;
Where the zephyrs borne from Eden gently kiss the dimpled stream,
And fair Nature in her slumbers sweetly smiles as in a dream.

Yes, farewell to all these pleasures, for the harvest's golden grain
Invite the willing reaper over mountain, moor and main;
And our hearts pulsate with gladness and our souls with joy abound,
For our noble Chief hath called us to the happy harvest ground.

And fair Zion's glorious banner we shall proudly wave on high,
In the sight of all the nations, in the sight of earth and sky;
Till the ransomed sons of glory who to every clime belong,
Shall return and raise their voices in an everlasting song.

"Without purse or scrip" we'll wander, "without place to lay our head."
And in cold and storm and hunger, we will trust in God for bread;
And we'll face the raging rabble and our Joseph's goodness tell,
In spite of scorn and fury, and the wrath of earth and hell.

And we'll search through every corner, through far off cave and den,
And seek the sons of Ephraim 'mong remotest haunts of men;
And with power of God to aid us we'll the pining captive save,
And will burst the bands of darkness and the shackles of the slave.

And now, O God our Father, this glorious cause is Thine,
Surround Thy servants with Thine arm and give us strength divine,
And bear us safely onward by Thine angel guards, we crave,
And by heavenly breezes waft us o'er the ocean's swelling wave.

And O! thou God of Israel, do Thou protect our home,
And guard the dear ones of our heart while we as strangers roam;
And by Thy Spirit cheer us while our souls with sorrow swell,
As with melting heart and trembling voice we bid our friends farewell.

THE GOVERNOR'S MALICE AND INCONSISTENCY.

In another part of this paper will be found a well written report, from a committee appointed by the Chancellor and Regents of the University of Deseret to draft an official reply to the false statements and absurd arguments of Governor Murray in relation to the University, used in his message to the Legislative Assembly. We are able to lay this report before our readers through the courtesy of the Secretary of the institution.

The more Governor Murray's messages on this subject are investigated the plainer do their weakness, unfairness and invidiousness become apparent. Three objections were urged against the appropriation for the University made by the people's officers elected to direct the disposal of the people's revenue. First, that the Chancellor and Regents were not nominated by the Governor. Second, that a portion of the amount appropriated was for the payment of a debt contracted without direct authority of law. Third, that an appropriation for educational purposes ought to contain a proviso that no sectarian tenet

should be taught in the establishment thus assisted.

The last of these objections was met by the insertion of the proviso desired in the very language suggested by the Governor. The second was met by striking out the provision directly appropriating money for the payment of the debt. And the first was shown to be only factitious and unsustained by any law, ruling or precedent, while it was entirely inconsistent with the Governor's course in reference to other items in the same bill.

Brief allusion has been made in these columns and also appears in the report which we print to-day, to the appropriation for the Territorial Insane Asylum. It is worthy in this connection of more extended notice. The amount appears in the appropriation law: "Insane Asylum \$51,697.48." This is an odd sum and raises an inquiry as to the reason for it. The answer is to be found in the report of the Board of Directors to the Legislature. From this we take the following:

"Under such circumstances it became necessary for the Board to borrow money to meet the payments due on contracts completed, until the entire amount of the appropriation could be handled, believing that your honorable body would approve of such action in view of the condition of the building would otherwise be left in."

In another part of the report we find the annexed figures under the head of "Deficiencies":

Note at First National Bank of Provo.....	\$5,000 00
Balance due Provo Lumber and Building Co. on contract.....	1,017 80
Balance due Provo Lumber and Building Co. for lumber.....	190 78
Balance due for tin work.....	64 50
Per diem and mileage to members	67 85

This amount—\$6,340.93, added to the estimates for completing the building, make up the sum that appears in the appropriation bill—\$51,697.48. Now it will be observed that the Governor says not a word in opposition to this appropriation. And yet the officers of that institution were not nominated by the Governor, and a part of the appropriation was to cover a debt contracted without authority of law.

Understand, we are not finding any fault with the Asylum, its officers, their report or the appropriation. We are merely placing the two institutions side by side and showing the difference in the Governor's action toward each of them in reference to the appropriations, when the same principles were involved in both.

He has nothing to say about Section Seven of the Organic Act in reference to the officers of the Insane Asylum. And yet they are Territorial officers if the Chancellor and Regents of the Deseret University are Territorial officers. The Legislature appointed the Insane Asylum officers in a manner different from the Governor's interpretation of the Organic Act and of Section 1857 of the Revised Statutes of the United States. Therefore, according to his logic, he should have objected to the appropriation for the Asylum on the ground that "its organization is illegal." The same principle applies in either case, and if the University organization is "illegal" because its officers were not appointed in accordance with Section 1857 of the Revised Statutes, then the organization of the Insane Asylum is "illegal" for exactly the same reason.

Again, if the Governor would not endorse the appropriation for the University because a portion of it was "set aside to pay debts of the University" not contracted "by any warrant or authority of law;" on the same grounds he should not have endorsed the appropriation for the Insane Asylum, because, as we have proved, it was open to exactly the same objection. The debts in both instances were contracted for building purposes, with the expectation that the Legislature, under the circumstances explained, would endorse the action of the officers and aid them with the necessary appropriations, to which that body promptly responded in both cases. But the Governor, while endorsing one without a murmur, made the other the subject of three special messages, and it failed at last to receive any pecuniary support whatever.

Why all this difference and discrimination? Simply, kind reader, because the Governor is himself one of the officers of the Insane Asylum, and can swallow Section Seven of the Organic Act, and Section 1857 of the Revised Statutes, at once, without a tremor, when they are sugar-coated over with a little brief authority and a trifle of per diem and mileage. See items in the Director's report of disbursements: "Salaries \$2,020." "Per diem and mileage, \$1,250," with a balance due of \$67.85 for the latter. Little straws, it is true, but they show which way the wind blows upon our tenacious and technical and one-sided Executive. He has no finger in the University pie, and because he can't direct and manipulate it according to his notion, he is determined that he will, if possible, prevent the manufacture of the crust.

There is another item in the appropriation law which is quite interesting in this connection. It is this: "Educating deaf mutes in University \$4,000." What made the Governor approve of this item? He says: "I approve of all the other items of the bill, but I disapprove of item ten making the appropriation to the Deseret University." Was not this amount open to the same objections as the \$50,000? Why did he not insist upon a non-sectarian provision for the mutes as well as for the

speaking pupils? Why should not Section Seven of the Organic Act apply in this case as well as the other? May one part of the University be governed by officers elected by the Legislature, and another part be excluded from their management? Or doesn't it matter whether the officers are legal or not, providing the students are deaf and dumb?

There is one more item in the Appropriation law to which we must allude: "Expenses entertaining the Wyoming Legislature \$553.75." We offer no objection to the sum, but we would like to know why the Governor approved of this item, seeing that it was to pay the expenses of a past entertainment, or in other words for a debt contracted without "any warrant or authority of law?" The principle should hold good in any case if it has any force or virtue at all. But it is evident that the Governor only wanted it to have effect in one single direction, namely, against an institution of learning which he could not bring under his own control.

The Governor's sophistical apologists have stated that he would have approved of the University item, if the proviso had been inserted that the amount should not be drawn from the treasury until his right to nominate the officers was tested in the Courts. There is no evidence that the Governor ever made such a proposition. It is not to be found in either of his messages. The statement, coming from such a source, is presumptive of its falsehood. The Governor, in his last message, offers but two alternatives; one to let him nominate the officers, the other to strike the amount from the bill. But supposing he had made such a proposition, there was no assurance that he would have stood to his agreement, for he had broken it in other instances. And it would have been very foolish on the part of the legislators to make such a bargain, for it would have been a tacit acknowledgment on their part that they were in doubt about the validity of the law on which they elected the University officers, and under which those officers had been elected for thirty-four years. And, further, it would have placed the University officers in the position of plaintiffs in a suit at law for the recovery of the money, and the law's delays and astonishing uncertainties, especially in a Territory, are too well known to make any one anxious to become subject to them.

As to promises, there is good evidence that the Governor squarely agreed that if the non-sectarian proviso were inserted he would approve of the bill as it was, but when it was inserted he still refused his signature. This has corroboration in the fact that at the previous session, this very proviso was the sticking point between the Governor and the Assembly. The item for the University was then stricken out simply because the Legislature refused to insert that proviso, the reason being because it might be deemed a tacit acknowledgment that the institution had previously been sectarian, a falsehood which no one but the Governor and his supporters would have the impudence to intimate.

We commend the report of the committee to the Chancellor and Regents as a fair, outspoken and irrefutable answer to Governor Murray's attack on the Deseret University, and hope it will have a wide circulation and thorough and impartial consideration.

A LIFT FOR THE BARTHOLOMI STATUE.

The famous statue to be erected in New York harbor would be very quickly in place if all contributions to it were as munificent as that of the Travelers Insurance Company, no less than \$1,700 given outright, besides paying for the distribution of a special press edition of a large picture of the statue to the entire press of the United States. We received a copy of it, and it is worthy the character of the company, which is the highest praise that could be given. The liberality of the company is cordially eulogized by Hon. W. M. Evarts, who is Chairman of the Pedestal Committee, and the picture is really a work of art.

UTAH LAKE LAND DISPUTE.

PUBLIC indignation in Utah County is exceedingly strong against the "jumpers" who are attempting to wrest a large tract of valuable land bordering Utah Lake, from the *bona fide* settlers and claimants. At the time the government survey was made on the land adjacent to that body of water, the edge of the lake was much higher than now, but the government line was made as close to it as practicable. As the lake receded, a strip of valuable unsurveyed land gradually widened, and was taken up and used by people whose properties, for which they had obtained titles, adjoin it up to the surveyed line.

It is this unsurveyed stretch of land, which has been settled upon by the people, that the land-jumpers are attempting to seize and on which they have unsuccessfully endeavored to erect buildings in order to give color to their claims. We are informed that the principal parties at the head of this land-jumping movement are a man named Pitts, proprietor of a

low resort on the State Road, near this city, known as Pitts' gardens, and "Tom" Vincent, of Provo.

The *bona fide* settlers of the land in dispute will fight the issue to the end, and we have no doubt of their final victory, the clear right being on their side. They have taken steps in the proper quarter to have the land surveyed by the government and to secure titles to it up to the meander line of the lake.

Not only have the settlers upon the land used, improved and fenced it, but they have been at considerable expense and trouble in taking steps to keep the lake down so as to make the land available, the question of increasing or diminishing the volume of water being one which has been in lively dispute between Utah County and Salt Lake County for several years. The land has thus actually been produced by them, so far as its eligibility is concerned, its remaining covered with water indefinitely being, by their action, prevented.

The genus land-jumper is in bad odor in every community. He is looked upon as little if any better than a highwayman, and no respectable portion of the people can afford to tolerate him. In a case such as that in which the Utah County settlers are interested, he appears in his most obnoxious phase, because of the absence of a glimmer of legitimate excuse for his attempted seizure of property to which others have so clearly a superior claim. There is but little if any room for doubt that the *bona fide* settlers will be the victors in the Utah Lake land dispute. That this will be the outcome of the contest is the wish of every lover of fairplay.

DESPERATE AFFAIR IN TEXAS.

ON the 21st inst. an attempt was made, by eight masked men, to rob a store at India Postoffice, Maverick County, Texas, on the Rio Grande, the proprietor, John Humphreys, making a brave, desperate and successful defense. Describing the affair, Mr. Humphreys said:

"Some eight or ten men, well armed and their faces blackened, rode up to my store when no one else was in it except the clerk and my little son, entered the building, and told the clerk to throw up his hands. The boy ran out, was ordered to halt and fired at twice by two men outside, but ran to my house and informed me of the affair. I took some cartridges and my shotgun and started immediately. When I arrived near the store a crowd was standing near the store door, but I was unwilling to fire, not having located my clerk. When they saw me, the crowd separated, running hither and thither, and I fired both barrels. One man fell. I then ran into my empty warehouse and fired again twice. The whole crowd then rushed out of the store and decamped under fire, some riding double. I entered the store and a customer whom they had tied. The dead man was carried into an out-house, and, having his face washed, he proved to be Francisco Chevania Perez, a former customer of mine. The robbers fired many shots. We found the trails of wounded men and horses in every direction, and two wounded horses were subsequently found. Yesterday the sheriff and myself crossed the Rio Grande to investigate, but, though we had trails of several wounded men in the town, the authorities would give us no satisfaction. Several of the robbers are known to me, and I have positively ascertained that they have crossed over into Mexico. An old Mexican employe of mine, when the firing opened, seized his carbine and kept up a lively fusillade at the retreating thieves, most of whom were his own countrymen."

MISJUDGING AN ELDER.

ELDER Charles M. Neilson is laboring as a missionary in Wisconsin, and through his preaching several additions have been made to the Church. Among the converts is a young girl, who has embraced the Gospel of her own free will and choice, believing in its truth. A number of people in La Crosse, where this conversion occurred, have been greatly exercised over the incident, evidently judging from their own standpoint of morality, that the Elder had ulterior designs upon the young woman, which was entirely without foundation. The convert herself called personally at the office of a newspaper in which various and inadvisable upon the Elders had been published, and repudiated them, stating that her baptism into the Church of Jesus Christ of Latter-day Saints was an act of her own volition and independent of any other consideration than her conviction of the correctness of the religious doctrines she had adopted.

The La Crosse *Republican and Leader* publishes the following sensible article in relation to this incident:

"Some considerable feeling is being evidenced over the presence in La Crosse of an emissary of the Mormons who has been at work here for several weeks past. So far as is known he has captured but one convert to the faith, a girl of foreign birth, who has announced her own free will and deed as the controlling influences of her conversion. The Mormon has not married the girl, and if he should he is not go

ing beyond his rights, until it is proved that he has been previously married."

It is surprising and much to be deplored that there can be found those in this city to advocate tar and feathers for a missionary in behalf of any belief, and especially when the work of such missionary has been so barren of results as have the labors of this Mormon in La Crosse. That such sentiments exist correspondence received by this office bears evidence, and it is only on account of such correspondence that the *Republican and Leader* treats of the matter which it holds is of no concern to this community, while the disgrace to the city attendant upon the "tarring and feathering" of anybody certainly is something to be decried in advance, and prevented, if possible, by every good citizen.

With polygamy in Utah the people of La Crosse have nothing to do. With Mormonism as a religion, even in La Crosse, the people of this city have no right to interfere so long as the laws of the land are not violated in the preaching or practice of that religion in this place. The girl in question is not alleged to be insane. Her friends, who are the ones best capable of passing judgment, have interposed no obstacle to her counsel, and have made no complaint of the treatment accorded her.

If the Saint from Utah wishes to preach Joseph Smith and him inspired and the girl wants to believe, that is their privilege. Religion is a privilege, not a compulsion, and in this country it cannot be otherwise.

So long as the Mormon observes the laws in Wisconsin, La Crosse people can be better occupied than in a disgraceful attempt to avenge the outrages committed in Utah."

The Elders go into the world after the manner of the authorized ministers of Christ in His Church of former times, deliver their message, and it is their duty to baptize believers who offer themselves as candidates for that ordinance. The Gospel is for all who have reached an age when they are capable of thinking and acting for themselves, without respect to sex. The world has become so generally corrupt, however, that if a young woman elects to become a Latter-day Saint, the messenger who merely happens to be the instrument of her conversion, is accused of immoral intentions. The fact is that there is no more pure and exemplary men in the world than the Elders of the Church as a class. Almost without exception they keep their covenants and abide in the instructions they receive to preserve themselves unspotted from the prevailing corruptions.

THE FISH AND GAME LAW.

In another column we print the new law for the protection of fish and game, which is a compilation with amendments, of the Acts in relation to this matter which have been passed by the Legislature for several sessions. Following is a letter received concerning this law, calling for a reply through the News:

KAMAS, March 26th, 1884.

Editor Deseret News:

I have just received the new law on fish and game, with a request accompanying it for me to post it up in a public place. When I did so it was criticised by those present, and some of our Solons declared it to be inoperative because it was special legislation, wherein its proviso gives a sportsman, an excursionist, or any one who wishes and is able to rusticate in the mountains in July and August and camp there, liberty to kill deer, elk, etc. The poor man who lives there all summer or perhaps the year round in a house, cannot lawfully kill one if he and his family are suffering for the want of some meat.

As we have no lawyers here and we have ever found you to be correct in expounding the law, we would like to get your opinion on this one, for we would not like to prosecute any one on an unconstitutional law.

Yours respectfully,
NIMROD.

We think that the "Solons of Kamas" are more capacious than profound, and that the term "special legislation" is not properly applicable to this law. Sportsmen and excursionists are not singled out as special favorites in the manner intimated by the Kamas critics. The exemption in the law applies to all persons camping in the mountains who are in need of food, for the time being.

The object of this exemption is clear and rational. It will be conceded that a law is needed for the protection of game, particularly of the kind that is often slaughtered for the skins while the meat is wasted. If people are permitted to destroy the wild animals that roam the mountains, in the wanton manner that has been common, it will not take long to exterminate that kind of game and leave none either for sportsmen, excursionists or the residents of the upper regions of this locality. If the females of the elk, deer, mountain sheep and antelope species are shot down by wholesale in the breeding season, the mountains will soon be denuded of these creatures. But when persons are in actual need of food, and are away from any source of supply except the game which ought to be protected from annihilation, common sense and common justice would say let the genera