

## EDITORIALS

## TERRITORIAL RAILROAD BILL.

In the discussion on the Territorial Railroad Bill, in the Senate, April 8th, Mr. Stewart said the bill had been under consideration for two sessions, had been twice considered by the Committee on Railroads and twice by the Committee on Public Lands. In the Territories the construction of railroads had been undertaken under territorial legislative acts, some of which were very irregular, and the only objection to the bill was, that it was rather restrictive in its provisions. The object of the bill was to afford an opportunity for persons residing in the Territories, who desired to build railroads with their own money and for their own use, to do so without the necessity of going to a territorial legislature or to Congress to ask the privilege. A few years ago Congress passed an act prohibiting territorial legislative assemblies from passing any further laws on the subject, but the act was subsequently modified so as to legalize those acts to some extent. It was alleged that the Territorial laws on the subject gave extensive privileges, which monopolized canyons and defiles, to companies having no legitimate basis and having invested no funds. After Congress had passed the prohibitory law, those desiring to build railroads in the Territories and those desiring to sell charters for railroads went to Congress, and during last Congress several hundred bills were introduced, granting privileges to individuals to build railroads with all sorts of provisions, some of which bills passed. The Committee on Railroads had revised and digested the system of general railroad laws adopted in the States, selected such portions of those laws as they had thought proper, and last session the matter was referred to the Committee on Public Lands. That committee reported it twice and it was referred for further examination. This session it was referred to the Committee on Railroads, who had gone through it again. The lawyers on each of these committees had examined the subject as carefully as could be and, Mr. Stewart thought, they had come as near as could be to getting a railroad bill that would allow persons who desired to build railroads on their own money to do so without being blackmailed. The committee had made it as difficult as they could for speculative or kiting operations. *Bona fide* capital was required to be paid in and *bona fide* work to be done yearly, and the bill was accompanied step by step with such limitations as it was thought, would bring it within the principles of square dealing. General legislation, and relief from special bills, was needed. Special bills were exceedingly dangerous. Many persons in the Territories could not afford to be taxed for procuring special legislation, nor would Congress give sufficient attention to special legislation to see that justice was done to the government, to the Territories and to individuals. Special legislation was always to be avoided where you could accomplish the purpose by general legislation. The system of condemning private property, as incorporated in the bill, was the best system known, the way most approved by the States having the largest experience. The jurisdiction was placed where it would protect all parties. The grant of lands was the minimum of what was in any bill that had been proposed to Congress. Under the bill there could be no speculation in getting charters to sell out. Nobody would want a charter under the bill, unless he wanted to put his own money in to build a road. The more he studied the bill the better he liked it. He saw the absolute necessity of general legislation. It was time to give the Territories a general law, and to let the parties know that they must build the railroads with their own money, as they were not allowed to borrow money beyond their capital stock, nor to water their stock by fictitious increases. Companies could only condemn private prop-

erty for the right of way. The bill had more restrictions than any general law on the statute-books of any States. He knew plenty of men who had been there year after year to get the right to build a road to a mine. He had one in his mind in Utah, where they built the road with their own money, and they had to keep agents here for two sessions before they could get the right of way because of men opposed to it who wanted to levy blackmail on them; and he did not know that they had got it through yet. It was reported at this session. The bill was amended so that failure to comply with certain of its provisions worked forfeiture of property.

On the 13th of April the bill was taken up again in the Senate, in committee of the whole, when Mr. Hager moved an amendment, giving to the Legislature of any State which may hereafter be formed out of a Territory in which a railroad authorized under the act may be located, the same power over such corporation as it would have over one of its own creation, which was agreed to.

Mr. Pratt offered an amendment, making the stockholders of any road organized under the act individually liable for an amount equal to the amount of stock subscribed for by them for all debts contracted by the road, which was agreed to.

Mr. Ramsey offered an amendment, that any such road or telegraph bill should provide for the transmission of mails and messages for the government of the United States for a compensation not to exceed that paid by private parties for similar service, which was agreed to.

The bill was then reported to the Senate and the amendments made in the Committee of the Whole were concurred in.

Mr. Conkling offered a substitute for the liability clause of Mr. Pratt that every stockholder in every corporation to be formed under this act shall be liable for all debts of said corporation contracted while he held the stock to an amount equal to the amount of stock of which he is the holder at the par value thereof, which was agreed to.

The bill was then read a third time and passed—yeas 20, nays 18.

The discussions were participated in by Senators Stewart, Bayard, Wright, Sargent, Hager, Howe, Scott, Wadleigh, Hamlin, Ramsey, Cameron, Conkling, and Pratt.

## THE INVARIABLE EAR MARK.

ALL the efforts of certain partisans to obtain special legislation for Utah have one bad characteristic in common—the design of depriving the people and the legislature of the Territory of as much power as possible, and concentrating the same in the hands of three or four, or at most half a dozen, federal officials, who are foisted upon the people with as imperial a disregard and contempt of their wishes as ever an official was imposed upon the American colonists by the English George, or by any absolute ruler upon his subjects or serfs. How this despotic policy can be reconciled with republicanism, or with any sort of government professing to emanate from the people, we fail to see, it altogether surpasses our comprehension. One of the chief boasts of the government of the United States before other nations, especially the “effete” monarchies and empires of the Old World, has ever been the democratic-republicanism of its general and local governments, federal, State, county, and municipal. Emigrants coming from the various countries of Europe with the design of making this their home, have counted largely upon this boasted characteristic of the American government, and have contrasted it approvingly with the more restrictive features of the monarchial and imperial governments of the lands of their birth. But when these emigrants find themselves settled in a Territory of the United States, how surprised they must be to learn of the limited amount of self-government allowed to the people of the Territories, and to learn also of the persistent attempts of blatant demagogues to urge Congress to still

further restrict those limited powers of self-government already allowed to the Territories! How astonished such persons must be, after hearing or reading a few glorifying, spread-eagle, Fourth of July or other occasion speeches, to learn of these traitorous conspiracies going on, and with unblushing effrontery invading the halls of Congress, against the peace, good order, rights, liberties, privileges, and welfare of the people. Yet such things are realities. Those persons here in Utah who are loudest-voiced and most wide-mouthed in their professions of “loyalty” to republican principles are the very individuals who engage in these conspiracies to overthrow the whole fabric of American government by sapping its very foundations.

We know that this obnoxious special legislation toward Utah is justified by the specious plea that the very large majority of the people of Utah are “Mormons,” the conspirators thus descending to the ignoble policy of endeavoring to carry out their revolutionary designs by making political capital of the religious prejudices prevalent against a small and comparatively powerless religious organization. Not to speak of the essential meanness, the unmitigated dastardliness of endeavoring to excite and inflame and take advantage of those blind prejudices for the express purpose of procuring the most one-sided and unjust proscriptive legislation against an already voiceless portion of the people of the Union, a direct injunction of the Constitution of the Union is that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, not the religious belief merely, but the practice of the religion, and interfering with the establishments pertaining to the same, all are to be respected, and none to be legislated against. Thus any legislation respecting establishments of religion, or prohibiting religious exercises, is plainly unconstitutional, and per force any legislation specially procured and designed to work to the prejudice of any religious establishment or religious exercises, is in direct violation of the spirit of the constitution and is therefore virtually void.

## NIGHT EXCURSIONS.

In the Ogden Junction of April 24 is a notice of an evening excursion to Echo, with supper and “grand ball” there, the excursionists returning to Ogden early next morning. It is not stated who are the intended excursionists, whether they are merely an already made up private party, or whether it is expected that the public at large will patronize the speculation.

As a general thing we are opposed to night excursions, and especially of mixed parties, to a distance, with the adjuncts of dancing, etc. Neither can we understand how any parents, who have any regard for the welfare and happiness of their families, can allow their sons and daughters to attend such excursions, knowing that many undesirable characters are now in the community, who are continually on the alert to pick up acquaintance with the youth of both sexes, and especially of the feminine sex. In regard to the young people engaging in these night excursions, as a rule, under existing circumstances, it is simply a wilful or thoughtless running into the midst of danger. If they wish to go on an excursion, they should go on a day excursion, not a night one, and even then only where and when they have friends and sure protection from insult within call. No good whatever is to be gained by night excursions, and least of all to young people, especially young ladies. All careful parents will do everything they reasonably can to prevent their children from going on such excursions, and all sensible young men and young women will think twice before they start once upon such an excursion, as they may receive more damage from one night's frolic of that kind than they may recover from as long as they live.

NOTHING LIKE A CLEAR CONSCIENCE.—Colfax, whom, says a western exchange, “many remember as a late Vice-President,” be-

lieves that, after belonging to the public for twenty years, he now belongs to his family, and he talks like this—

“If public life can be ranked as a duty not to be evaded, I have certainly performed a full share of that duty. If, however, as is generally considered, it is regarded as a pleasure, I have certainly had of that pleasure more than any one citizen had a right to claim or expect.”

Then, with his hand on his heart and his eyes upturned, he thus takes comfort—

“I have faithfully striven to serve my country with such industry, fidelity and integrity as to have a conscience void of offence towards God or man. And looking back over those long years, with more hours given to public duties than any business man at home gave to his private affairs, and which almost cost me my life, I can see nothing in the record of that public life which, ‘dying, I would wish to blot.’”

## CAN'T SWALLOW POLYGAMY.

The editor of the Kansas City *Chronicle*, though disposed to regard Brigham Young and the “Mormons” and their general policy in a favorable light, still cannot accept one item of the “Mormon” religion, according to the following—

“Outside of polygamy, Brigham Young makes as good a governor to that people as could be found, and will continue to do so as long as he lives. There is probably not a man on the face of the earth who holds the entire confidence of that number of followers so perfectly, as Brigham Young. In every other respect save polygamy the Mormons are entitled to much consideration. Throughout the whole machinery of their doings and laws there is an entire absence of everything looking like fraud or suspicion, or fraud being practiced on them by other Mormons. They are industrious, frugal, patient, etc., but on the subject of polygamy they are exceedingly tender and suspicious, and it would not take long to get up a row on that point at any time.”

We are not disposed to quarrel with any body who has only one serious fault to find with our citizens, when everybody knows they have a thousand virtues.

## LOCAL NO OTHER MATTERS.

FROM TUESDAY'S DAILY, APRIL 28.

Good Feed.—We learn from Mr. George Anderson, herdsman, that the early grass on the range west of the Jordan river, is now good and that stock are doing well.

British Mission.—At a conference held in Bath Hall, Sheffield, Sunday, March 29, Elder John Clark presiding, Joseph May, Jr., clerk, there were present on the stand of Elders from America, President Joseph F. Smith, Elders L. J. Herrick, R. T. Burton, John Clark, Joseph Birch, F. M. Lyman, John C. Graham, R. V. Morris, R. W. Heyborne, and James T. Little.

Meetings were held morning, afternoon, and evening. The audience were addressed by the above named Elders.

A Brutal Crime.—Yesterday evening Sheriff David A. Sanders, of Morgan County, arrived in this City, bringing with him L. M. Carpenter, who has been committed by a Justice of the Peace, of the county named, to the District Court, on a charge of seduction and adultery, alleged to have been committed on the person of his own step-daughter, twelve years of age. The evidence adduced at the examination showed that Carpenter had threatened to kill the girl if she divulged his crime. He was brought to town by the sheriff that he might be turned over to the Territorial Marshal. He is now in the City jail.

A Dangerous Fellow.—John Lewis is a dangerous fellow when under the influence of liquor. On Sunday he insulted a lady on the street, and struck Mr. Wickersham, liquor dealer, with a long pipe, and when the latter remonstrated with him he partially drew a six-shooter, telling Mr. Wickersham to draw and defend himself, and that if he

came a step nearer he would kill him. In the police court to-day Mr. Wickersham, the principal witness, made an apology for the prisoner, saying he believed it was whisky and not the natural man that made the fuss. Lewis also got upon a horse, rode around upon the streets, and tumbled off several times. He was fined \$25, to-day, which he will probably work out.

Restrained.—The case of Jacob Arthurs, tried, convicted and sentenced by the Probate Court of Morgan County, for seduction, adultery, etc., is of recent date. A portion of the sentence was that he should be fined several hundred dollars, and Sheriff Sanders, having levied upon certain property belonging to Arthurs, in accordance with an execution issued from the Morgan County Probate Court, was about to sell it, when he was stayed yesterday by a restraining order from Judge McKean's Court, served upon him by deputy U. S. Marshal, A. K. Smith.

At the same time papers were served upon Probate Judge Jesse Haven and Sheriff Sanders, summoning them to appear in the Third District Court to answer to a complaint made by W. R. Keithly, who has instituted a suit against them. The complaint shows that Keithly claims that the property formerly belonging to Arthurs is now his (Keithly's), he having purchased it for a valuable consideration.

That “valuable consideration” clause is very rich, very.

Water.—The residents of the “North Bench” purpose holding a mass meeting at the 20th Ward schoolhouse to-morrow (Wednesday) evening, with a view to considering the most efficient steps to take and measures to adopt to get water for culinary and other purposes, many of them having now to carry what they use from one block to over a mile, which, of course, is a great hardship. We understand they purpose petitioning for the privilege of constructing a ditch from City Creek, that they may be able to utilize the immense amount of surplus water which yearly runs to waste from that stream. If they can even have the privilege of water for half or three parts of the year, when it is abundant, it will be a great boon to them, saving them an incalculable amount of labor. It is contended that a supply of water would render the locality more healthy, by increasing the humidity in the atmosphere, &c. Statistics of the sexton show that the mortality is greater there than in any other part of the City, in proportion to the population; the deaths in the 20th Ward averaging, in the sickly season, not less than one seventh of the whole, and the larger portion of them occur north of the present water ditch.

Caught.—One Edwards was arrested at Ogden yesterday on a charge of being the party who, a little over two weeks ago, robbed Mr. George Bond, of Commercial St., of a sum of money and a quantity of jewelry, amounting in all to between four and five hundred dollars. On Saturday night the police of this City discovered that Edwards had given a ring stolen from Mr. Bond to a young man to dispose of for him, promising to share the proceeds with him. As soon as he found that the officers were on his track he put out of the City on Saturday, walked eight miles north and stayed over night. On Sunday he proceeded to Kaysville, where he took the afternoon train to Ogden, where he was arrested yesterday, by Sheriff Brown, who had a written description of him. He was brought to town last night. At Ogden he tried to dispose of a chain, supposed to be a portion of the stolen goods.

He was examined before Justice Clinton, when the young man who was to receive part of the proceeds of the ring testified to having received it from Edwards, and the article was identified by Mr. Auerbach and the owner as the property of Mr. Bond. The young man already mentioned also testified to having seen a small box in the hands of Edwards, which the latter said contained \$250 worth of diamonds. The box answered the description of one stolen from Mr. Bond. Edwards, who is a hard citizen, says he is from New Orleans and has been engaged since last January in selling railroad tickets.

The Justice deferred decision in the case till to-morrow.