

OUR CHICAGO LETTER.

TWO UTAH GENTILE-MEN — REMEDY FOR ANTI-"MORMON" RABIES SUGGESTED—KATE FIELD FOR GOVERNOR OF UTAH—JOSEPH SMITH ON POLITICS—UTAH JUDGES, PAST AND PRESENT.

CHICAGO, March 23, 1886.

Editor Deseret News:

Two distinguished gentlemen from Utah passed through this city some few days ago, on their way to Washington. Perhaps it would be more correct to say two Gentile-men, lest by classing them with the first an injustice might be done them, and a rank accorded to them which they would not understand. Well, these Gentile-men sojourned a short time, and relieved themselves of a great load about Utah. Chicago can stand any number of these men. The rooms they occupied at the hotel were disinfected, and no danger is apprehended. They carried a supicious-looking box, which if seen in a sea-board city would occasion alarm to ship-masters. This box contained the most succulent parts of a "fatted Mormon" which are destined to grace the banquet board at Washington City, where Senators Edmunds, Hoar, Culum, Logan, and a few minor worthies are to be dined on their favorite dish. Nothing short of a real

"MORMON" STEAK

will satisfy the terrible appetite of a true-blue "Mormon-eater." And the Messrs. Baskin and Goodwin did a wise thing in carrying a choice haunch to the Capital for the delectation of the great men there.

One of these is said to be a newspaper man, the other a politician out of work. Both of these men lost a profitable job by not calling at one of our dime museums. A Utah newspaper man is, above all things, what we want to see. The girl with big feet, the woman with the Governor Murray whiskers, and the tattooed man are getting stale, but a Utah scribe of the Gentile-carpet-bag pattern is what we hunger for. And we lost a good one in him who passed here. The other fellow would not be much of a novelty. We have lots of his kind. However he could play second fiddle to Goodwin.

THE SITUATION IN UTAH,

it is said, is serious. The Mayor of Chicago, who understands a little about dirty newspapers, and dirtier preachers, suggests a remedy for the anti-"Mormon" rabies. He thinks that vaccination might help. The virus could be obtained from one of your meanest deputy marshals, and by adopting Pasteur's method a process of inoculation might be pursued which would prevent or modify the terrible rabies which seem to possess newspaper men, officials and missionaries in Utah. Mrs. Logan says she will have her John operated on, now that he is cured of the Fitz Porter monomania. As to the others, nothing will do any good for them but a banquet off a real "Mormon" and Messrs. Goodwin and Baskin will supply that. Carter Harrison says every official from Illinois who goes to Utah must be "vaccinated" before leaving Chicago. So many of our Illinois citizens now in Utah are in such a bad way that if they should return home the consequences might be serious.

Some of the eastern papers suggest

KATE FIELD AS GOVERNOR OF UTAH. Well, there might be worse, and, besides there are old women now governing some of our States. The present governor of Illinois, a very estimable old lady, who ordered her militia to shoot down some Polish laborers a year ago, is a good Executive. He or rather she, showed the Knights of Labor the necessity of organizing, and their present disciplined condition might well be credited to that war veteran the well known "Mormon"-eating Uncle Dick.

Darwin says that communism of property is not a law of nature. He demonstrates this by showing that a dog fights for the bone he has unearthed, and only superior force can get it away from him. He might if he lived to-day in this country add another illustration, by citing the Republican office-holder fighting like grim death for his bone. See Edmunds and Logan, these terrible dogs holding on to the bone. That is their last chance. If the offices are gone, all Sheol won't keep their rotten old party alive. Cleveland has proved a worthy successor for Jackson and Jefferson after all, and with the great Democracy of America behind him, Jay Gould's railroad attorney and Jack the giant-killer will vanish into thin air. Of course we must not blame the carpet-baggers—dogs in office, like dogs in an alley, obey the natural law—they fight for their bone.

It was, indeed, fortunate for the cause of Utah that the Chief Justice of that Territory lifted his voice in the pro-Murray jollification; because his reference to Joseph Smith, uncalled-for and inappropriate as it was, directs the political student back to the foundation of the religion which appears so obnoxious to his honor. The great mass of the American people have nothing to do with Joseph Smith, or with his relations to the "Infinite Source," in so far as his religion and conscience were concerned. And whether God slept for 1,800 years or for 18,000, it is none of their business. Outside of religion we can investigate Joseph Smith. Happily for the modern student, he has left a political record. Iran

ADDRESS TO THE PEOPLE OF THE UNITED STATES

dated Feb. 7, 1844, Joseph Smith distinctly defines his political position, and the text proves it to be unassailable. He says: "In the United States the people are the government, and their united voice is the only sovereign that should rule; the only power that should be obeyed; and the only gentlemen that should be honored, at home or abroad, on the land and on the sea. Wherefore, were I the President of the United States, by the voices of a virtuous people, I would honor the old paths of the venerated fathers of freedom; I would walk in the tracks of the illustrious patriots, who carried the ark of the government upon their shoulders with an eye single to the glory of the people; and when that people petitioned to abolish slavery in Slave States, I would use all honorable means to have their prayer granted, and give liberty to the captive, by giving the Southern gentleman a reasonable equivalent for his property, that the whole nation might be free indeed."

These words were spoken 42 years ago, but they will bear reproduction to-day, and they are the best reply which could be given to the silly twaddle of that Utah alleged Justice.

Your Utah Judge says, "We have met to approve the acts of a man who came to this Territory with a conscience and a courage that had been baptized in the blood of the late war." Yes, baptized in the blood of his own countrymen; baptized in the blood of relatives, friends and fellow-religionists! And this is the baptism which is to procure him honor, glory, emolument and salvation. Shame on the cannibalism which glories in its filth! It is only equalled by wolves in Russia, or by hogs on the ranches of California.

READ JOSEPH SMITH,

and ask yourself why was not this cannibalism prevented? Why did we not have a free nation without making dogs of ourselves? Because, we had men like your Utah madmen 30 years ago, men dead to justice, to country, to brotherly love, dead to everything but a paltry office or a party cry. This is why.

This must have been

THE JUDGE WHO TRIED ABRAHAM

for a murder that was never committed, and who condemned Abraham for putting away a second wife. If Abraham had put away "the wife of his youth," and adopted the selection system sanctioned by Utah judges, then indeed, it might be said that Abraham was a bad man. The old story about the beggar on horseback riding to perdition is certainly true. Hagar was promoted to an honorable place in a sacred household, but true to the instincts of her class she abused it, and as she had no Utah Judge to back her, she suffered the consequences. It is the same way with our modern judges and governors. At first they were vagrants and tramps, now they are in a position such as Hagar was in, but they are riding to perdition, veritably beggars on horseback.

In our city, Judge Drummond went out to sand-bag for whiskey money, but he saw some postage stamps on a mail-box, and he appropriated them. The policeman charged him with sand-bagging, but the charge would not hold. Like Abraham, the intention was there but the act it was which came within the law. Judge Drummond was once a Utah Judge, and a savory one too. Some of your deputy marshals ought to shake with him.

JUNIOR.

BRICK POMEROY ON OUR UTAH JUDGES.

HE COMPARES THEM TO THE INFAMOUS JEFFREYS, AND SHOWS UP SOME OF THEIR INCONSISTENCY.

Judge Zane, of the Federal Court in Utah, has won a place beside the infamous Judge Jeffreys, who wielded power in his hands not to further justice, or to punish crime, but to gratify his own base passions and ignoble purposes, in his order that wives must testify against their husbands when commanded so to do by them, or go to jail for contempt of court!

The order came in the case of Mrs. Langton of Utah, who was put on the stand and commanded to testify against her husband, who was charged with unlawful cohabitation, but against whom the prosecution could find in all the length and breadth of the country, not one person to testify against the defendant at the bar.

The Edmunds law is a most infamous outgrowth of class legislation and a violation of constitutional rights and provisions. It is not a law to protect truth, justice, virtue, morality, or the betterment of homes, but is the direct outgrowth of most contemptible efforts on the part of New England sharpers to so worry, bulldoze, and degrade an honest, laborious, wealth-producing people, as to cause them to abandon their beautiful homes; or abandon their church and religion outside of plurality of wives. This plurality of wives is but

A SHALLOW PRETEXT.

It is not that we are a Mormon, or a believer in their religious ideas, but they are citizens of the United States. They are men and women whose record for morality is far above the average record of the country East or West of them. We defend them as

we did people in the South during the war, and as we do the poor and the oppressed, because the country is disgraced by the war a democratic administration is carrying on against a people whose prosperity has awakened the ever rampant cupidity of New England.

The law against unlawful cohabitation is no more sacred than is the law against seduction, fornication and bastardy, so long set at defiance by lawyers, judges, sheriffs, mayors, preachers and presidents; yet laws against the latter named offenses are set aside, except where a person forgets to observe fashionable caution. Plural marriage is said to be an offense against society. And yet society is a myth compared to manhood. It is an arrogant assumption, a heartless, selfish, nicker-plated humbug, in whose rotten body are more disgraces in one week against public decency than were dreamed of or perpetrated in the entire Mormon philosophy or polygamic relationship in this country.

We fall to find where plural marriage in Utah affects monogamic marriage in New England, or to see wherein that which does not in the least concern another man, is detrimental to him or his happiness, unless his misery is increased by the happiness of others. Plurality of wives is certainly

NOT A CRIME

committed by a husband against his own wife or wives, when the two or more parties in the relationship of love, esteem and religious belief, are all willing parties and contented enjoyers of the home and home conditions that add to the happiness of the husband and wives, and work no harm against any other party. Where the marital relationship is entered into between a man and woman, in the understanding that the man may, whenever he wishes to, "by and with the consent of the senate," the same being his first wife, and all subsequent ones, take a second wife, we cannot see how it is wronged, or why a woman may not provide herself with a home and a husband without subjecting herself to a liability to the pains that precede child-birth.

When a wife in the East cohabits with another man by the consent of the husband, he cannot come into court and complain that he is wronged, for she has not committed an offense against her husband, nor against any one else to whom she is not united in marriage. When a man in Utah, with the full consent of his wife, without which consent he cannot act, cohabits with another woman, that is holds her out as a wife, thus decides the court, the wife who consents in the law, is

NOT AN AGGRIEVED PARTY,

and therefore cannot legally be compelled to testify against herself, husband and wife being one, till they commit a prohibited offense against the other.

We turn to our law books, and read from Greuleaf, vol. 1, page 286, in his work on the law of evidence, that "communications between husband and wife are privileged communications, and are therefore, protected independently on the ground of interest and identity, which precludes the parties from testifying against each other. The happiness of the married state requires that there should be the most unlimited confidence between husband and wife; and this confidence the law secures, by providing that it shall be kept forever inviolate; that nothing shall be extricated from the bosom of the wife which was confided there by the husband."

Page 395, the great law writer further says:

"To this general rule excluding the husband and wife as witnesses, there are some exceptions; which are allowed from the necessity of the case, partly for the protection of the wife in her life and liberty, and partly for the sake of public justice. But the exception which calls for the wife's security is described to mean not a general necessity as where no other witness can be had, but a particular necessity, as where, for instance, the wife would otherwise be exposed without remedy, to personal injury."

In the case of Stein vs. Bowman in error to the District Court of the United States for the Eastern District of Louisiana, the Court reversed the decision of the court below and one of the chief errors was the admission of evidence by the wife against the husband. The court ruled that

"It is a general rule that neither a husband nor a wife can be a witness for or against the other."

"This rule is subject to some exception; as where the husband commits an offense against the person of the wife."

"In the case of the King vs. Civilier (2d Term, 36) the Court held that a wife should not be called in any case to give evidence even tending to criminate her husband."

"It is sound doctrine that trust and confidence between man and wife shall not be betrayed."

"It is, however, admitted in all the cases that the wife is not competent, except in cases of violence upon her person directly to criminate the husband; or to disclose that which she has learned from him in their confidential intercourse."

"And it is conceded that this principle does not merely afford protection to the husband and wife which they are at liberty to invoke or not, at their discretion, when the question is propounded; but it renders them incompetent to disclose facts in evidence in violation of the rule."

"Can the wife under such circumstance, either voluntarily be permitted, or by force be compelled to state facts in evidence which render infamous the character of her husband? We think most clearly that she cannot be. Public policy and established principle forbid it."

The rule is founded upon the deepest and soundest principles of our nature. Principles which have grown out of those domestic relations that constitute the basis of

civil society, and which are essential to the enjoyment of that confidence which should subsist between those who are connected by the nearest and dearest relations of life. To break down or impair the great principles which protect the securities of husband and wife, would be to destroy the best solace of human existence.

We think that the court erred in overruling the objections to the witness." (Peters vol. 13, p. 135, 136).

In this persecution of Mormons

THE LAW ITSELF IS BEING OUTRAGED and it is against this and all other violations of law that we protest. People say the Mormons are ignorant. This we do not concede, but assuming it to be true, and that they are violators of an unconstitutional law, by what right does that which assumes to be the highest legal intelligence violate the most sacred law of the land?

We pass on, leaving Judge Zane standing in the pillory alongside of the other infamous Judge, Jeffreys, to this true report of the case of W. G. Child, of Ogden. He was arrested under an indictment charging him with unlawful cohabitation with his wives, and then passed the following

STATEMENT,

which, with the remark and sentence of Judge Powers are copied from the court records:

If your honor please, I am an American citizen. I have ever tried to live in accordance with the laws of my country. This, your honor, is the first charge that was ever brought against me for a violation of any law. As to my religious belief, I embraced Mormonism so-called, in my early youth, my parents being firm believers in its principles. I am, and have been for many years, convinced of its divine origin; not from the testimony of others alone, but from a true knowledge.

My family relations, which are one of the tenets of our faith, were formed in my youthful days (thirty years ago) in good faith, believing it to be my duty, and between whom and myself there exists the tenderest and most solemn and sacred relations. There have been added to them a quarter of a hundred children, twenty of whom are now living. I have endeavored to teach them to obey the laws of their country, as well as the laws of God.

When the bill known as the Edmunds bill became a law, knowing, as I did, the government had the power to enforce its laws, I took legal advice, which was subsequently confirmed by the intemperance of one or two of the courts of this Territory.

I confined my marital relations to my second wife, and have so lived in good faith until this indictment—since which I have lived with neither, awaiting the confirmation or rejection of your honor's decision in the Snow case.

I have not the least feeling toward any member of this court, especially the grand jury which found this indictment. I believe they reluctantly found it in the discharge of their duty under your honor's recent ruling.

I had but little uneasiness when I learned that my family was before them, as to the results, as I understood the meaning and the construction of the law, and even volunteered and did go before them myself and gave them the facts in the case; and I have reason to believe that they would not have so found had it not been for your honor's new ruling in the Snow case.

The officers of this court have acted the part of gentlemen toward myself and family. When I was wanted they permitted me to go at my convenience and file my bonds. The first man I met on the street was a Gentle. He proffered to and did go on my bonds. If this statement of facts is worthy of any consideration, I shall be pleased to know it. I have not tried in any way to defeat the ends of justice in this case. I believe the officers of this court will bear me out in this.

At the close of the reading of Mr. Child's statement, the

COURT ADDRESSED THE DEFENDANT AS FOLLOWS:

The Court has learned from other persons, not of course from anything that has transpired in the court room, but from others, as I say, the facts in your case to be substantially as you have stated them, as regards your living with but one woman, and that your second wife, since the passage of the Edmunds act, and I shall therefore take this defense in passing sentence. I desire, however, in order to determine what I should do in your case, to inquire of you your mind in regard to the laws of your country, and whether as a citizen you propose in the future to obey the laws of your land?

Mr. Child—I have nothing further to say, your honor, in this regard.

By the Court—It is a matter of regret, Mr. Child, that you do not desire to bind yourself by the promise to obey the law. You tell me you are an American citizen; that you have always tried to obey the laws of your country. The first duty of a citizen is to obey the law, and counsel others to obey the law, and every true American should be proud and willing to do what he can toward obeying the law. A man cannot be a good citizen who is ashamed to say he will obey the laws of the land. I can only account for your course, as a prominent citizen in this community and a man of intelligence, than that you have not the moral courage to throw off the allegiance you have given to a power which sets itself above the government of this country. You have shown yourself to be not a citizen of the United States, but a citizen of a power that is believed to be above the government of the nation. Under that state of facts I cannot suspend sentence in your case. The time has come in this Territory when every man must say he will obey the law. With the feeling that exists, as you do to-day, it adds just so much to the trouble that is already upon the people, and it will continue until the law is obeyed. I recognize that you may have been misled in some degree in regard to the intent of the Edmunds law, and I believe your statement that you have lived with but one woman, and that your second wife; but it is the law that a man shall have but one wife, and she his first wife; with her he must live. That is the law, it is the spirit of American institutions. Feeling that you may have been misled I take that into consideration. Before passing sentence I want to suggest one other thing: That you can stand here and say you have obeyed the law as far as you were able, and yet say you are unable to promise to obey the law in the future. Therefore I cannot suspend sentence. I

will not be able to take the same course in the future. The sentence of the Court is that you pay a fine of \$300 and the costs of prosecution and that you stand committed until the fine and costs are paid.

We ask all who read the above, to

NOTE THESE POINTS:

1st. The defendant was never before a court charged with violation of any law. And yet he is a Mormon!

2d. He embraced the Mormon faith in his youth, and believes in it.

3d. His family relations were formed thirty years ago. His domestic relations have always been tender and sacred. He has twenty children living, as a result of his observance of God's command to multiply and replenish.

4th. When the new law was made, in the belief that the government would enforce its laws, he sought legal advice, and confined his marital relation with his second wife, and lived with her, as per agreement with the other, in good faith, till he was indicted, since which time he lived with neither.

5th. The man who went on his bonds was a Gentle, or anti-Mormon.

Now then—1st. The Court admits that since the passage of the law he has lived only with his second wife.

2d. He was punished, not for violating a law, but

FOR NOT PROMISING

to obey a law in the future, when there is no law under which a person can be punished, for not making a promise to obey a law.

Judge Powers says that he takes all the facts in the case, but punishes Mr. Child simply because he declines to advertise ahead as to what he will do.

His decision in this case is as infamous as would be that of a judge before whom a person is brought, charged with an act committed before the act was declared an offense. The man being cleared of that charge, the Judge says:

"Prisoner at the bar, you are not guilty of an offense as charged, but unless you will promise me that you will never in the future commit an offense, I will fine you, and will send you to jail, not for committing the act, but for not promising me as to what you will or will not do in the future!"

The Constitution forbids the passage of ex post facto laws, or bills of attainder. Therefore no law can be made in this country to punish for an act committed before the passage of a law forbidding the act. Nor can any attainder or punishment follow to the families of those who are guilty even of crime.

Nor is there any law, divine or human, whereby a man can be punished for refusing to promise!

The administration that sustains such an infamous outrage against the law, as committed by Judges Zane and Powers is in need of more light than it works under in all its dealings with Mormons.—Brick Pomeroy's Democrat.

CORRESPONDENCE.

A NEW VIEW OF THE PROPOSED ANTI-"MORMON" LEGISLATION.

Editor Deseret News:

In reference to the Utah bill now before Congress, it appears very plain to me that if passed into a law and executed as designed by its promoters, it will undoubtedly cause difficulties and troubles of an

INTERNATIONAL CHARACTER,

which the law-makers, in their blind zeal to pass it, appear to have lost sight of. I allude to the effect it may and will have upon the subjects of foreign nations now residing in this country. Whoever has carefully read the said bill and is at all acquainted with the locality to which it applies, notwithstanding the excuse given for its adoption, cannot fail to see that it is an unwarranted breach of international usage and customs. I need not remind you that Utah, like all other States and Territories in this great country, contain hundreds and likely thousands of persons gathered from all civilized nations of the world, encouraged by the boast of the American people that here was to be found that liberty both civil, social and religious, that would make life happy and desirable. Under this charm they have emigrated to this land, leaving behind them the land of their birth, and the graves of their fathers, never more to return.

They have been allowed to land on these shores, and to bring with them their various social, domestic and religious customs, ideas and convictions. They have also been allowed to labor, acquire, hold and possess property, without being compelled to take the oath of citizenship, and in addition to this, they have been at liberty, if religiously inclined, to believe and worship according to their consciences and convictions, and to follow out what appeared to them to be right, in order to insure their salvation, inasmuch as such practices did not infringe upon others' rights, they being responsible to God alone.

And further still,

SUBJECTS OF ALL NATIONS

have had the undisputed right and privilege of adding their means together for the purpose of building churches, temples, and meeting houses, according to their own desires; and at the same time American citizens in foreign countries have enjoyed the like privilege with protection.

This custom has not only been pleasant and agreeable, but in accordance with an international understanding,