EDITORIALS.

THE UTAH ELECTION LAW.

THE New York *Herald* is again stirred up on the "Mormon" question. Its issue of the 22nd inst. contains correspondence from Washington on this subject covering nearly two columns of close print. Of course many misrepresentations are embodied in the letter, for no one hostile to the people and interests of this Territory every confines himself to the truth when attacking either.

The first point in which the *Herald's* correspondent manifests his animus is in reference to our election law, which he says "was adopted by the Mormon Legislature as a means of espionage, coercion and oppression." He goes on to state that

"An opposition vote cast is open rebellion against the Lord's anointed, punishable with religious, social, commercial and political ostracism. The rebellious saint who gives his suffrage to any others than those nominated by the assumed divine authority of the Mormon Church is sure to be discovered through the marked ballot which he has placed in the box. Following such discovery, if the voter is in business of any kind or is in the employ of a saint, comes the loss of trade or dismissal from service, as the case may be, as well as excommunication from the Church, social ostracism and delivery over to the "buffetings of Satan," which is understood by all Mormons to imply outlawry."

Of course the people of this Territory know that this is only fustian, woven by the adventurers who have been working for special legislation which may aid them in grasping that power over the affairs of Utah which they can never obtain by legitimate means and a pure ballot box. A careful examination of our election law will show that no such principle as alleged actuated the legislators who framed it. And neither the New York *Herald*, its correspondent nor the unprincipled persons who gave him his information, can produce an authentic case of an individual who has been injured by the majority for voting in any way that suited him.

As a proof of the desire of the Legislature to prevent any improper examination of the votes, read the following, which can be found on page 86 of the Compiled Laws of Utah:

"It shall be unlawful for any judge or clerk of election, probate judge, clerk of a county court, selectman, or other person, to examine any ballot offered or cast at the polls, or found in any ballot box for any other purpose than to ascertain what candidate has been elected, and any person violating the provisions of this section, upon conviction thereof, shall be liable to a fine not exceeding two hundred dollars."

Now we maintain that there is no evidence in existence to prove that the object of establishing the system of marked ballots was for anything else than to preserve the purity of elections, and to ascertain, in case of a contest, beyond any doubt which candidate received the greatest number of lawful votes. Those who still favor the retention of this system are actuated by the same motives. Practically, Utah has now a "secret ballot." All this talk about ostracism and excommunication is the baldest kind of falsehood. Who knows how any man votes unless he chooses to speak about it himself? Who has been injured in person or property through voting in opposition to the People's Ticket? There is no more influence used against a blatant, radical political enemy to the majority in Utah, there is not as much, as is brought to bear against Republicans by Democrats and *vice versa*, particularly if the individual is a renegade from his party. There is as much freedom in this Territory to vote or not vote, to oppose or be in harmony with the masses, as exists in any part of the Union. If there is any undue pressure here on political matters it is brought to bear by the very persons who are now clamoring for a Congressional change in the law. If any person who has been associated with them dares to depart in the least from their programme, he is abused, vilified, libelled by an infamous press and hounded until he is glad to make peace with his tormentors or leave the Territory, and if he is in office the wires are immediately worked for his removal.

Changes in our election law have been proposed by our legislators at the present session of the Assembly. This is done chiefly as a concession to the minority; not because there is anything vicious in the existing system. We would favor a change if any real benefits could be derived therefrom. But it would be far better to "let well alone" than to adopt any measure that would "let down the bars" for corruption and intrigue. The registration system, which is costly and cumbersome, does not prevent ballot stuffing in New York. Why should it work better here than there? If there is any mode by which a strictly secret ballot can be secured without leaving a loophole for illegal voting, we think that no one, not even those who believe in open voting, would offer any objection to its adoption.

In our present system there is only one point that seems to us open to a valid objection. That is in the custody and condition of the poll lists and ballots after the canvass is made, until the time limited for the notice of contest, and their final disposition. They are now left in the care of the County Clerk. There is a bare possibilty of his exposing them to the scrutiny of others, or of his own comparison of the names and numbers on the poll list and the corresponding ballots, with a view to finding out how certain persons have voted, although this is guarded by the section of the law which we have quoted above.

But to cover this objection an amendment might be made, requiring the poll lists and ballots to be sealed up after the canvass, in the presence of those who have watched the counting—the law already providing for the attendance of each candidate or his representative—and the re-opening, after the time limited for notice of contest has expired, in the presence of the same witnesses, also the destruction of the lists and ballots in their presence if no contest has been legally commenced. By this plan the secresy of the vote will be maintained from the beginning to the end, and while the means of determining the actual vote in case of a contest will be preserved, there will be no opportunity left, if those present at the canvass securely seal up the returns, for any individual to violate the law by any examination to find out how, or for whom, or by whom any vote was cast.

Every voter should be free to cast his ballot for the candidates of his choice. No undue pressure should be brought to bear upon any citizen to compel him to vote or prevent him from voting as his judgment dictates. But people joined together voluntarily to effect a common object have duties to each other which are entitled to general consideration. And while no one should be injured in consequence of his breaking loose from his associates and joining with those who oppose them, it cannot be expected that the dissenter will receive as much cordial friendship, countenance and support from his former fellow-partizans as those who remain in accord with them. Toleration in its fullest sense is a tenet of the "Mormon" faith; but no member of any sect, party or society who has "gone over to the enemy," can reasonably expect the same sympathy and fellowship as those who remain true and faithful. If any difference except this is made between "Mormon" and apostate, unless the latter brings trouble upon himself by illegal and forcible methods of intruding his dissent upon others, we know nothing about it. But we do know that such representations as are made on this point in the New York *Herald* are manufactured for political effect and have no foundation in truth.

We must defer consideration of other points in the correspondence referred to until another time.

"MORMON" VERACITY.

THE Washington correspondence to the New York *Herald*, to which we referred last evening, contains the following:

"Only one or two indictments have ever been found under the act of 1862, for the reason that by the present jury system in Utah a sufficient number of Mormons have always been on the grand juries to prevent true bills being returned, notwithstanding the strength of the evidence in such cases presented. But the chief reason the crime cannot be punished in Utah is that such illegal marriages are performed in secret, being witnessed only by the officiating priest and perhaps by the parents of the illegal wife. Mormons are so clannish and crafty that to lie for the protection of themselves in their crimes, or even to perjure themselves before a court of justice for the protection of a fellow Mormon, is not only commendable but a religious duty."

According to this precious paragraph, the reason why only one or two indictments have been found under the Anti-polygamy Act is the presence of "Mormons" on the grand juries, and their refusal to indict in spite of strong evidence. And the reason polygamists brought to trial are not punished is because it is part of a Mormon's religion to lie for the purpose of screening his brother. Now put these two statements against that which is sandwiched between them, that a plural marriage is performed in secret, and where is the consistency of either? If plural marriages are secret, without witnesses, where is the strong evidence in such cases to be presented before a grand jury?

The *Herald* cites a number of instances in which it is alleged that "Mormons," when brought into court to testify on some of these alleged cases of plural marriage, have answered, "I don't know." Now if these persons did not witness those marriages, and it is stated that they were secret, how could any other answer be given, truthfully, in a court of justice? Witnesses are not required to offer their opinions, either before a grand or a petit jury, nor to state what they believe or have heard other people say, but to testify what they know themselves. Grand juries are not required by their oath to find an indictment except on such evidence as is likely to lead to the conviction of the accused. In fact one of their chief duties is to make such a preliminary investigation of an alleged crime as will save the cost, time and labor attending a regular trial if there is not sufficient evidence to make probable grounds for action. And petit juries are not expected to convict simply upon hearsay, but if there is a reasonable doubt remaining, after hearing the testimony and pleadings, to give the accused the benefit of that doubt. We defy the defamers of the "Mormon" people to show that a "Mormon" jury has ever acted on any other principle than that laid down in the books which are recognized as legal authority in these matters, and generally enunciated by the courts.

Are grand juries, whether they be composed of "Mormons" or "Gentiles," to find indictments on the *ipse dixit* of a prosecuting officer anxious to make a name in the world as an anti-polygamist? Are witnesses under oath to swear that they know certain accused persons are married when they were not present at the alleged ceremony of marriage which it is admitted was performed in secret? And are petit juries to convict on hearsay just to please courts, officers and a few rabid adventurers who make "polygamy" a hobby horse on which they want to ride into place and popularity?

The true reason why there have been no more indictments under the Act of '62 is that efforts have been made by Federal officials to punish polygamists under a Territorial statute framed for a totally different offence, rather than to proceed under the Congressional enactment. And when they have attempted to magnify the latter law they have had no valid evidence to offer.

The records of our courts will show that the statement, continually repeated, that "Mormon" witnesses will not give evidence against "Mormons," and that "Mormon" juries will not indict or convict those of their own faith, is a deliberate and reckless untruth. The evidence in proof of this is unimpeachable; the official records of both the lower and the higher courts of the Territory stand as abiding witnesses of the falsehood and folly of our defamers.

Now as to the religious aspect of the case. We quote from the Book of Doctrine and Covenants, which is a written standard of "Mormon" principles.

"Thou shalt not lie; he that lieth and will not repent shall be cast out." (New edition, page 158, verse 21).

"And it shall come to pass that if any persons among you shall kill, they shall be delivered up and dealt with according to the laws of the land; for remember that he hath no forgiveness, and it shall be proven according to the laws of the land."

"And if a man or woman shall rob, he or she shall be delivered up to the law of the land."

"And if he or she shall lie, he or she shall be delivered up to the law of the land." (Page 163, verses 79, 84 and 86.)

Thus, lying is contrary to the religious duty of a "Mormon," and if it can be proven that any member of this Church has committed perjury, then it is proven that he or she has violated and not performed a religious duty. "Mormonism," so called, teaches the highest virtue in the plainest language. Its spirit and influence are to elevate and purify, and anything that may be done by any of its professed adherents which is contrary to truth, righteousness, justice, honor, the rights of man and the glory of God, is not according to the religion embraced by the "Mormons," but is repugnant to it in every sense of the word.

And, taking the "Mormon" people as a community there is less infraction of divine and human law among them than in any other body of people of equal numbers on the globe. Individual cases of evil, occur, as in all denominations and societies. But "Mormon" doctrine always, and "Mormon" sentiment and practice generally, is totally opposed to the evils alleged against them by their enemies, and the following words of Paul the Apostle are directly applicable to the author of the statements we have quoted from the New York *Herald*:

"Therefore thou art inexcusable, O man, whosoever thou art that judgest; for wherein thou judgest another thou condemnest thyself; for thou that judgest doest the same things," (Rom. 2 c, 1 v.)

HOME MADE.

THE imaginary value of imported goods is one of the popular delusions that do harm to most communities. An article manufactured at home, no matter how far superior it may be to one of foreign production, is not considered worth as much, nor entitled to cash remuneration. Merchants frequently decline giving money for home-made goods, but expect the producer to take store pay or some other articles as equivalent. And customers often pass by a commodity as inferior when it is labelled home-made, preferring the imported, without any critical examination or comparison of qualities.

This is detrimental to the interests of any country or section. Common sense, it seems, would suggest the propriety of patronizing local industries in preference to outside enterprises, particularly if the former approached competition with the latter.

Two amusing incidents which occurred a short time ago will perhaps illustrate the subject more forcibly than argument. A New Haven gentleman who had been visiting England thought he ought to purchase some article to take home, knowing that it would be thought much of as coming from abroad. He bought some knife rests of a pattern and style he had never seen before, and asked the storekeeper where they were manufactured. "I don't know where the place is," said the seller, "but it is called Meriden, Ct." The article was made just eighteen miles from the purchaser's residence. A lady from New York bought a small article in the same manner at Algiers for $1.25. At Paris she gave $1 for a similar article. In London she purchased another of the same kind for 75 cents. When she reached New York she found lots of them in the store windows for 10 cents each. They were "Yankee" notions.

Some people here are just as inconsistent. Would it not be a good thing for this Territory to encourage the manufacture and production of necessaries to life and comfort by purchasing them as far as practicable in preference to that which is imported? If you answer in the affirmative, don't forget this when you are spending your money, nor that home-made goods ought to demand cash just as much as those produced in some other place.

DIVIDING A CITY.

CONSIDERABLE feeling seems to have been aroused, in consequence of a petition which has been presented to the Legislature asking that the district lying north of the Ogden river be cut off from the municipality of Ogden. The petition set forth chiefly that the people in the portion of the city named had been paying taxes without benefit, and were residing in a farming district, without police protection and other privileges that properly belong to incorporated cities.

The petition was met by a remonstrance denying these allegations, and asserting that much more had been expended on the district proposed to be cut off from the city than the full amount of the taxes paid therein; that the growing interests of the city showed the necessity of its retention of all the land within the present corporate limits, and that the movement contemplated was impolitic, and if successful, would open the way for persons who desire to carry on such business as ought to be under strict municipal supervision to escape city license and police regulations, to the detriment of the public welfare.

Both documents were referred to the appropriate committee, and gentlemen in favor of each have presented their views to that body. The subject has been discussed in the *Junction* and taken up by one party in the *Herald*. We understand that a compromise is now talked of, making the proposed change to cut off only the extreme northern end of the city, or, that portion lying in the Lynne district. But it appears that most of the citizens in that section are averse to the change, preferring to remain within the municipality, by which they say they do secure police protection, and other benefits more than equivalent to the small amount of their annual city tax, which is only one-half of one per cent. Thus this so-called compromise would keep inside the corporation most of the citizens who desire a change, shut out those who do not want it, and be contrary to the wishes of the very large majority of the citizens in the aggregate It is therefore not a compromise but simply a modification of the original request.

Our opinion is that Ogden City corporation has been sufficiently curtailed from its original proportions. A slice from the north and a chop off the south has already been excised, and with its extensive prospects it is small enough now without further reduction. Municipal government has lately been discouraged by those who desire to weaken the influence of the old settlers of the Territory. If the citizens of the portion now proposed to be cut off from Ogden City were to desire re-union, a conclusion very probable from its almost certain growth, they would have extreme difficulty in effecting it. Our true policy is to retain all the local influence and authority which legitimately remains to us; not to relinquish it. Municipal bodies have some legislative powers which the county courts do not possess. To cripple, contract or diminish this authority seems to us suicidal and inconsistent, and virtually playing into the hands of our enemies.

We fail to see any benefits which would arise from the change proposed, but can see many evils which are likely to grow out of it. We hope that in the light which will be thrown upon the subject by the discussion which has arisen, and from the fact that quite a number who were induced to sign or favor the first petition are now averse to its propositions, the promoters of the movement will see that it is not for the greatest good of the greatest number, and will graceful-