

The Deseret Weekly.

PUBLISHED BY

THE DESERET NEWS COMPANY.

SALT LAKE CITY, UTAH.

SUBSCRIPTION PRICE:

Per Year, of Fifty-two Numbers, - - - \$2.50.
Per Volume, of Twenty-six Numbers, - - - 1.50.
IN ADVANCE.

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Saturday, - - - January 19, 1889.

TRANSCENDING THE LAW.

A FEW days ago our Washington correspondent made mention of the pardon, by President Cleveland, of a number of "Mormons" who were serving out terms in the Sioux City, Dakota, penitentiary. He explained some of the reasons for the exercise of executive clemency in these cases. Among them was that the recipients of clemency had been convicted and sentenced under two indictments, the one for unlawful cohabitation and the other for adultery.

According to the views of the Chief Magistrate and the Department of Justice, this procedure was of a piece with the segregation system that was inaugurated by the Utah judiciary, and subsequently wiped out by a unanimous decision of the Supreme Court of the United States. The theory of the President and the Department of Justice is that these are cases of unlawful cohabitation, pure and simple. This opinion, as stated by our correspondent, is shared by every prominent lawyer at the capital.

We have never been able to see this point in any other light, and, taking it as correct, the sending of men to prison for long terms under two indictments, convictions and sentences, for but one infringement of the law, is an outrage that should not be permitted to continue. A method more effectual than the interposition of executive clemency should be applied. It should be stopped short at its source. Justice demands that this should be done, providing this condition of things continues. No one should demur to a just, fair, and humane administration of the laws, but there is good cause for complaint when extra-judicial methods are applied. When such is the case the process assumes the aspect of vindictiveness and persecution, as in the case of Bishop Maughan, disposed of by Judge Henderson a short time since.

It has been claimed by the courts

here that the anti-"Mormon" part of the late Congressional legislation was not aimed at sexual sins, from which it was admitted the "Mormons" were phenomenally free. It was aimed at a peculiar marriage system. Hence any kind of association between the parties was deemed sufficient for conviction of unlawful cohabitation. This association might be sexual. If so, that would be sufficient for the purposes of the prosecution. This being the case, association of that character is an element of the offense. It follows, therefore, that to convict a man of unlawful marital cohabitation, and then convict him again on the ground of an element of that same offense and call it adultery, is an encroachment upon one of the most common and essential principles of law—"that no man shall be placed in jeopardy twice for the same offense."

It may be asked why the adultery and fornication clauses were placed in the Edmunds-Tucker law. One cogent reason was to meet the objection raised against the measure to the effect that it was entirely anti-"Mormon" or one-sided. These other elements were inserted to apply to cases outside of the "marriage relation," and thus take away the excuse for opposition to the act on the ground of persecution.

Instead of recognizing this fact, some of the Judges have in the cases of non-"Mormons" convicted of adultery suspended, sentence or inflicted a light fine, while "Mormons," whose cases were already covered by conviction of unlawful cohabitation, have been sent to prison for long terms.

In all such cases as those last referred to executive clemency should step in and prevent the full consummation of such extra-judicial outrages. It would also be well in future, when instances of that kind occur, to formulate a full statement of the proceedings and make representations of facts in the proper quarters. The people have the right to demand that officials appointed to administer the law shall keep within it. In case they persist in transcending its bounds, their removal should be vigorously requested. The law without partiality and without vindictiveness is what is wanted. Nothing more, nothing less.

Remember faith, virtue, knowledge, temperance, patience, brotherly kindness, godliness, charity, humility, diligence.—*Doc. and Cov.*

FALSE REPRESENTATION.

A PERSON named Forhan has been acting for some time in the capacity of secretary to the Salt Lake Chamber of Commerce. He was not known here until he appeared in that role, being an importation.

At last night's meeting of the Chamber he made an annual report. It is a long, drawn out document, plentifully sprinkled with the personal pronoun "I," associated with the verb "recommend." It is as lengthy as an ordinary message of a President of the United States to Congress, but not nearly so modest, because, presumably, much more important. In one place he says: "I think we deserve a vote of thanks from the whole Territory, including Ogden, Provo, Nephi and other points." It would have been more consistent with the entirety of the paper had the "we" in the portion quoted been supplanted by another "I." This want of harmony may probably have been the result of a mild flash of modesty of the same kind as that which must have seized Governor West when he consented to share the power of appointing all the public officers in Utah with a territorial commission.

This Forhan importation sits upon the pyramidal elevation of his own egotism and passeth judgment in general, and also in particular. He undertakes to insult the whole community and lower the tone and influence of the Chamber of Commerce, which is capable of great material usefulness. His pitching a shovelful of dirt into the premises and leaving it there may be because he is about to vacate—he retires from the Secretaryship. It is to be presumed that he must be filled with the idea that the chamber will not long survive such a terrible blow. But wherein has this shadowy, spread-eagle wisacre insulted the community? The answer lies in this quotation from the highfalutin report:

"I regret to be obliged to say it, but our school-houses are a shame and disgrace to American citizens. Surely our population of 35,000-40,000 should be able to accomplish as much in educational matters as is accomplished elsewhere. The public school is the proudest boast of our Republic. The nations of the world have never given a greater blessing to humanity. And yet we are not in line, in this respect, with other communities. Outside of Utah and, I might say, outside of Salt Lake, there is not a community of 5,000 people that could not in the matter