

# DESERET NEWS: WEEKLY.

TRUTH AND LIBERTY.

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CHARLES W. PENROSE, EDITOR.

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## MORE CAMPBELL TRICKERY.

THE New York *Herald's* Washington correspondent furnishes his paper with a list of all the anti-Mormon bills which have been introduced into Congress during the last twenty years, and all of which have perished in their turn. He sums up the long account as "a surprising array of unsuccessful legislation, in which some of the ablest men in Congress have participated."

It is plain, from a part of the correspondence, that the *Herald* correspondent has been misinformed in relation to the woman suffrage act passed in Utah in 1870. He refers to it as "perhaps as extraordinary an enactment as was ever placed on the statute books of a Territory or State." And no wonder, for he quotes it as follows:

Be it enacted, etc., that every woman of twenty-one years who has resided in this Territory six months next preceding any general special election, born or naturalized in the United States, or who is the wife, widow or the daughter of a native born or naturalized citizen of the United States, shall be entitled to vote at any election in this Territory.

That the period of minority extends in males to the age of twenty-one years, and in females to that of eighteen years, but all minors obtain their majority by marriage.

We need not tell those who are posted on the laws of Utah that the last paragraph in the above quotation is not in the woman suffrage act at all. The correspondent has been deceived by the the unprincipled attorney for Allen G. Campbell, who attached that paragraph to the law in a published plea for his client. Reference to the Utah statutes will show that it is an interpolation. The object of introducing it as part of the Utah election law is to bolster up the falsehood that all married women in Utah can vote even if they are under twenty-one years of age. The law provides to the contrary. No woman, married or single, can vote in Utah if not twenty-one years of age. But those who have asserted the falsehood are compelled to resort to trickery to give color to their lies. Hence they have taken a section of a law in relation to minors, passed Feb. 6, 1852, and as the context shows, to define who are bound by contracts, and tacked it on to the Woman Suffrage Act, with which it has no connection and to which it has no relation. And further. The Woman Suffrage Act provides that a woman voter must be twenty-one years of age, as will be seen above, and the closing section, which the conspirators have left out, and for which they have substituted the section about minors, reads thus:

"All laws and parts of laws conflicting with this act are hereby repealed."

Therefore if the section about minors, passed in 1852, could possibly be strained to apply to the law passed in 1870, the repealing clause we have quoted would make that section void, because the body of the bill provides that a woman voter must be of the age of twenty-one years. And to make the matter doubly sure, in 1878, twenty-six years after the passage of the minor's act and eight years after the woman suffrage act, a registration law was enacted, requiring every Utah voter, male and female, to make oath that he or she is twenty-one years of age, etc.

Editors and correspondents should look into these matters for themselves, and not trust to the representations of such persons as a mining adventurer, trying to steal a seat in Congress to represent a Territory which has emphatically rejected him; and a speculating attorney, whose price for helping the fraud to obtain the seat is salary accruing

from the office. Such trickery ought to be exposed, and the New York *Herald* can satisfy itself on the facts by simply referring to the Compiled Laws of Utah, pp 83, 345, and Laws of 1878, page 28, or either of them.

## THE OPINION OF THE BEST LAWYERS.

THE Providence, R. I. *Star* relates with some amusement the illogical effort of some anti-polygamy fanatics to prejudice the case of our Delegate to Congress by distributing cards among members of the House, containing President Arthur's recommendations concerning Utah and Mr. Cannon's admission that he has married plural wives. The *Star* makes the following comments, which show that it has a clear understanding of the main question in dispute;

"Such measures as this are likely to have no little influence on the minds of members of Congress, although they have no bearing whatever upon the matter at issue. The fact is that Mr. Cannon was elected a delegate in Congress from Utah by an overwhelming majority of all the votes cast, and was entitled to receive the certificate and take his seat in the House on a *prima facie* showing. If he is not a citizen of the United States, or if his practice of polygamy disqualifies him, that is a matter for the House itself to decide, and Governor Murray, in attempting to adjudicate the question of Mr. Cannon's qualifications, usurped a power which he does not rightfully possess, and for it ought to be impeached and removed from office. This opinion is held by many of the best lawyers of both parties in Washington, who have no sympathy whatever with Mormonism or polygamy. The peculiar institution thrives on attempts to crush it out by illegal means."

## "LEGAL ASPECTS OF THE MORMON PROBLEM."

THE January number of the *Century Magazine*, published by Scribner & Co., New York, and formerly bearing the name of Scribner's, ordinarily very attractive and readable, is of unusual interest to the people of Utah, because it contains an article in relation to the "problem" which just now is exciting much public attention. It is entitled, "Legal Aspects of the Mormon Problem," and is contributed by Arthur G. Sedgwick. The writer exhibits a much better acquaintance with his subject than is shown by most persons who undertake to descant upon it. He is familiar with the laws that have been enacted in Congress designed for the extirpation of polygamy, and also with their actual and possible effects upon the "problem" which certain persons are so anxious to have solved.

The writer commences by stating truthfully that the magnitude of the "Mormon Problem" has been "greatly exaggerated in the minds of most persons," and shows that it is rather a local disturbance—"nuisance" he calls it—than a "national difficulty," and that the questions presented by it are "mainly legal and constitutional," because the only weapons that can now be resorted to against it are those furnished by judge, jury and sheriff. But after treating of the subject very ably from this legal standpoint, his conclusion, it appears to us, is rather at variance with his proposition. For, proceeding to explain the reasons for the failure to execute the law against polygamy, he not only argues against the practicability of punishing polygamists with a partly "Mormon" jury, but admits the unfairness of an attempt to do so with a jury from which polygamists would be excluded, because that would be necessarily a packed jury, and says:

"No plainer demonstration could be made of the impossibility of effecting by any change of the jury laws, the enforcement of the statute against bigamy."

What then can be done? Here is the closing sentence of the article, in reply to this question:

"Under these circumstances, there is nothing to be done with the Mormons but to let them alone. Persecution has been tried, and has only served to strengthen and in-

crease them. Law has been tried, and has proved of no use, because it has not been enforced. From the circumstances of the case, it cannot be."

In view of this, how can it be consistently claimed that the questions arising from the "Mormon Problem" are "mainly legal and constitutional?" Are they not more properly of a philosophical and polemical character? But it must not be thought from the author's conclusions that he considers the "Mormon" system must necessarily prevail in Utah. On the contrary he thinks that left to itself it is bound to give way and disappear, or at least to part with its most objectionable feature. He says:

"The operation of natural causes is certain, in the long run, to sap the foundations of polygamy. The railroads have already brought the Territory into communication with the rest of the country, and the development of the mines must ultimately bring in a large Gentile population—almost entirely male. A strong tendency in the direction of marriages between Gentile men and the daughters of Mormon parents must spring up. Indeed, this is said to show itself already. There is no surplus of women in the West from which to recruit polygamous households; the births of the two sexes are always very nearly equal and the Mormon population is no longer being rapidly increased from abroad, as it was in the times of the early persecution of the Church."

The whole article, which is not lengthy, is well worth reading, and we have no doubt will make a good impression upon thoughtful minds. There is nothing rabid or intemperate in it. The usual anti-Mormon bitterness is pleasantly conspicuous by its absence. Anti-Mormon legislation is reviewed and commented on with fairness and precision. It is shown that the statute providing that real estate held by any religious association in the Territories of greater value than fifty thousand dollars shall be forfeited to the United States, does not affect the Church property acquired previous to the passage of that law, and that

"The experience of history shows that the properties of religious corporations cannot be broken up under law by any means short of confiscation, and confiscation under this act was expressly prohibited."

The anti-polygamy law of '62 and the decision of the Supreme Court of the United States concerning it are explained, and also the Reynolds case, which led to the Supreme Court ruling. But the writer argues that in considering the passage of such laws the sentiments and feelings of the community in which they are designed to operate should be considered, as well as the thing to be put down, and draws a clear distinction between the easy enforcement of laws against bigamy in the States, where the sentiment is opposed to polygamy, where the lawful wife and children have a strong motive to supply the evidence necessary, and the reverse condition in Utah, where, he says:

"No member of the polygamous family has an adequate motive to come forward and furnish the evidence which would be absolutely necessary to secure a conviction. It is not merely that they all regard polygamy as the normal married state, but as appears from the Reynolds case, they regard it as a religious duty, and a violation of this duty as entailing religious penalties much more serious than any possible inconvenience or discomforts which might arise from a continuance of their existing family system."

Such facts as these, clearly presented in the *Century* article are usually ignored in the legal aspects of the question, but they are important features of the case, and statesmen and lawyers must duly consider them or their efforts will continue to be vain. The author concludes on this point that

"The law has not been and never will be enforced, for reasons which grow out of the condition of society in Utah, and which are beyond the reach of ordinary legal machinery."

He errs, very naturally, however, not knowing the exact sentiments of the "Mormons" on the subject, in this statement of the legal situation:

"The objection mentioned [the packing of juries] brings us face to face with this fundamental diffi-

culty in dealing with polygamy by legal methods—that no Utah jury, unless it were packed would ever convict a 'Mormon' of the crime."

This is a mistake. A "Mormon" juror would consider himself bound by his oath to find according to the evidence presented. His religious belief in the rightfulness of plural marriage would have no bearing upon his duties as a juror sworn to act in consonance with the law. As an illustration of this, in the Reynolds case several "Mormons" were on the jury and the defendant was convicted and imprisoned.

We regard the article in the *Century* as evidence of a more rational and dignified spirit in the consideration of "Mormon" affairs than has hitherto prevailed to any great extent. Sensible people are beginning to perceive that the outrageous stories told about the "Mormons" are inconsistent with known facts, and that the rash measures suggested by hot-headed and fanatical "reformers" are as unlikely to accomplish any good effect as the mobbings and drivings of Missouri and Illinois. Investigation will follow, and in that we have nothing to fear. Let the whole subject be scanned without passion and weighed without prejudice, and the "Mormon Problem" will be found very different from the horrible monstrosity which has been held up under that name before a startled public.

The January number of the *Century* has many other well written articles besides that which we have briefly reviewed—prominent among which is "The Increase of Divorce," by Washington Gladden; the frontispiece is a fine portrait of Thiers; the illustrations are superb; the light reading is unexceptionable, and the whole magazine is entertaining and of first-class merit.

[From Saturday's Daily, Dec. 31.]

## SEASONABLE THOUGHTS AND GREETINGS.

THIS is the last day of eighteen hundred and eighty-one and "the end" is not yet. It has been a year of great fatality. Its record bears witness of disaster by fire and flood, earthquake and pestilence, accident and catastrophe, shipwreck and train-wreck, violence and assassination, to an extent remarkable in the annals of the world. But the prognostications of the witches and wizards, astrologers and necromancers have not been verified. The year goes out like its predecessors in the regular course of time and process of nature, to give place to another, and be known only in the list of the by-gone.

But though the expiring year has not fulfilled the predictions of the fatalists, nor witnessed the great consummation, it has added one more step to the progress of the world towards that change which is inevitable and near at hand. The signs given by the Son of God and of Mary, which were to be as sure harbingers of "the end" as the spring buds are of approaching summer, have been abundantly manifest in the year now yielding up its breath. While the signs in the heavens and on earth, the troubles and perplexities of nations, the domestic and national calamities, the convulsions of nature, the commotions on land and sea, the abounding of iniquity, and the loosening of the bonds which hold together families and communities, have answered to the words of the Great Teacher, at the same time "this gospel of the kingdom" has been preached as "a witness" among the nations, the "elect" have been "gathered" in great numbers from various parts of the earth, the people of the world have been stirred up against the Saints to hate them, despitefully use them, persecute and deliver them up to be afflicted, and the spirit has whispered into the ears of the faithful, "behold the bridegroom cometh." All this is significant of the times.

The impending dissolution, which is as sure to come as the death of all other things that are mortal, is the decay of nations, the end of human rule, the dethronement of the "prince of this world," to be succeeded by the heavenly government, to be followed by the reign of universal amity and peace, the establishment of righteousness and equity, and the personal reign of the crowned King, the firstborn son of the Eternal God. "The end of the world" is the destruction of the power of the wicked, and the banishment of that Evil One who

rules in the hearts of the children of disobedience. And every year that passes away brings us nearer to this consummation so "devoutly to be wished," and shows with indications unmistakable to those who have eyes to see, that the promised time is near at hand.

With these things in view we rejoice in the process of the ages, and find consolation amid the troubles and sorrows that are coming on the world. For while we mourn over human suffering and deplore the necessity for the woes that will burden the approaching years, we recognize in all the purposes of Jehovah and hail with joy the change that they herald to this creation. Old things will pass away and all things will become new. Error, oppression, wickedness and strife will be swept from the earth. Truth, liberty, holiness and harmony will be exalted everywhere, and He whose right it is to reign will dwell in the midst while his dominion will extend to every part of this ransomed globe.

We therefore bid farewell to the expiring year and greet its successor hastening to the birth, with pleasure and congratulations to all honorable people everywhere, and wish that Eighteen Hundred and Eighty-two may prove to our friends and patrons and the truth-loving and true-hearted of all lands, climes and creeds, a happy, joyful and prosperous New Year.

## FOOD OF CARP.

THE first lot of Carp received by Professor Barfoot, has been distributed and more ordered. The feeding of the fish is a very important matter. From *Forest and Stream* we learn that the German Fishing Association report that "Carp fry, at Walmunchen, were fed with blood at first and then with bread; at Sommersin they were fed with bran; at Kahmen with ground meat and potatoes; at Berneuchen with pig manure, linseed-oil cake and 'water-pest' (a water plant of some kind); at Dessau the old carp are fed with ants' eggs, bread, meal, barley, potatoes, blood and refuse meat. Carp, gold-fish and the golden tench are particularly fond of the oil-cake, and large pieces can be thrown to them." The late Fish Commissioner of this Territory fed small fry with finely minced liver and milk clabber. Over feeding with these things should be guarded against, especially with fermentative matter in warm weather. Sheltered places should be prepared, to prevent the cooling down of ponds too suddenly by winds. The carp thrives best in warm streams. Musk-rats should be killed off, as they destroy fish. No carnivorous fish should be allowed to get into carp ponds. It is established that carp, when properly cared for, are very profitable to raise, and the fish culturist will do well to remove worthless varieties of fish, and replace them with carp.

## LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, DEC. 30

Apostle Rich.—The Bear Lake Democrat says:

Two or three days ago, Apostle C. C. Rich was losing ground, so far as his health was concerned, his speech being considerably affected at times. We are glad to state, however, that at the present time he is improving.

More Marriages.—Two more marriages of couples from Logan besides that mentioned in last evening's issue, were solemnized in this city yesterday. C. D. W. Fullmer, son of Brother J. S. Fullmer, of this city, and Miss Ella Thatcher, daughter of the late Joseph W. Thatcher, were united as one.

So were Frank Benson, son of the late Apostle E. T. Benson, and Miss Amanda Aelison. We unite with the friends of all the parties in congratulations and good wishes.

Missionary Returned.—This morning we had the pleasure of a visit from Elder A. D. Thurber, of Richfield, Sevier County, who returned last evening from a mission to the Southern States. He left Salt Lake City May 1st, 1880, and labored the first six months in Kentucky, in Company with Elder F. McDonald. Latterly he was in East Tennessee, where a good field for missionary work has been opened up. Elder Thurber did a great deal of traveling and preaching, enjoyed his labors, and was generally treated with much kind-