

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

PRINTED AND PUBLISHED BY THE
DESERET NEWS COMPANY.

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WEDNESDAY, - JULY 13, 1887.

THE STATE CONVENTION.

The labors of the Convention are ended. The Constitution of the State of Utah is completed. We lay it before our readers in full in this issue of the DESERET NEWS. Taken altogether it is a strong and liberal Constitution. It will compare favorably with any document of that character to be found in either State of the Union. The principal changes made from the Constitution of 1882 are these:

The union of Church and State and the domination of the State by any Church are forbidden. The Legislature may provide that five-sixths of a jury may render a verdict in a civil action, and that in inferior courts a less number than twelve may constitute a jury. Male citizens only are to enjoy the right of suffrage. The Governor may veto separate items in an appropriation bill, without vetoing the whole bill, subject to a two-thirds vote of the Legislature. Appropriation bills must be sent to the Governor five days, and if disapproved wholly or in part returned by him two days, before the adjournment of the Legislature. Four judicial circuits are provided for until otherwise provided by law, and the circuits arranged according to the present needs of the respective counties. In the public schools no teacher shall be employed or rejected on account of his religious faith, or his sympathy with any particular denomination. Provision is to be made by law for a house of correction for juvenile offenders. Bigamy and polygamy are each forbidden by the State, and made punishable by a fine of not more than one thousand dollars and imprisonment for not less than six months nor more than three years, in the discretion of the court. This provision cannot be amended without the consent of Congress and the President of the United States, and a pardon for either of those offenses, to be effective, must be endorsed by the chief executive of the nation. Provision is made for any contingency arising in giving notice of the election and the receiving of the votes for the ratification of the Constitution. The apportionment of members of the Legislature is made the same as that recently arranged under the provisions of the latest law of Congress on Utah affairs, thus giving the minority the same opportunities under the State as is now created for them by their official friends. The time of the general election was changed from the first Monday in August to the Tuesday next after the first Monday in November, to correspond with the national law as to the election of members of Congress, but subsequently the old provision was restored, as August is considered the most convenient time for the people, all things considered.

The Convention has been diligent and painstaking. Every proposition for a change from the former Constitution has been thoroughly discussed in committee and caucus, and, chiefly, in committee of the whole; and what has been effected is the result of careful deliberation and cognizance of the demands of the nation and the exigencies of the times. We do not think there will be any great difference of opinion among the bona fide residents of Utah upon any proposition aside from the bigamy and polygamy sections. As we have already intimated, they should be examined without haste or anger, but with an intelligent comprehension of their meaning and probable effects. They must be viewed as civil enactments governing the State, not in any way as religious rules or Church polity. The Church and the State are declared separate, and are in fact distinct and apart and neither can infringe upon the domain of the other. But all citizens are subject to the civil law and, if they break it, must abide its penalties.

The Constitution will now have to be submitted to the people. We publish it that they may see for themselves what it is. Only the registered voters can support it at the polls. No polygamist or other person who has not taken the test oath can vote for the Constitution. It should be explained to those who are not ready to understand anything new, by those who do grasp its meaning. The voters should act intelligently and with a full understanding of the importance of this movement.

Every care should be exercised in presenting this momentous question to the voters. It should be known in every nook and corner of the Territory and in every household, that on the first Monday in August the registered voters are to cast their ballots for the

ratification or rejection of this Constitution and the endeavor to gain admission into the Union as a State, by which the government of local affairs will come into the hands of the people, where it belongs, and the nation will be relieved of questions pertaining to this region which of right should be settled in the community where they arise. Let the Constitution be carefully considered and all votes be cast with a just comprehension of its provisions as they are to affect the residents of these valleys in the capacity of citizens of the State of Utah.

THE "MORMONS" AND THE MINORITY.

The opponents of Statehood for Utah, unable to present any reasonable argument in support of their obstruction, have fallen back on the old, collapsed and dried-up falsehood that "Gentiles" would have to flee the country if Utah should become a State in the Union. It is marvellous that any sane person, at this late date, should have the hardihood to revive that dead and buried bagaboo, and still more marvellous that any paper in the United States should care to print it with the expectation that the public will believe it is substantial.

There is not a "Gentile" in this Territory who has resided here a year, who believes that there is the slightest ground for such a stupid conjecture. There have been non-"Mormons" in this Territory ever since a year or two after its first settlement. They have lived and thrived and many of them have made fortunes in the midst of the "Mormons." They have never been molested. They have never been coerced. Their religion or irreligion has not been interfered with. They have had no trouble with the majority. Their lives, property and civil and religious rights have been respected. And many of them have had the grace to acknowledge this, abroad as well as at home.

It is only a few conspiring, ambitious, restless and unscrupulous spirits that have waged continual warfare against the true interests of the Territory, magnified the polygamy bugbear, spread falsehoods by wholesale and pretended that they have been in danger and would not be allowed to live here under a State government controlled by the majority. Their only substantial grievance, when driven into a corner by facts and logic, is that they have no practical political influence; that they are as though disfranchised, because the "Mormon" vote is almost if not quite solid and they are unable to break its unity; thus they cannot gain the offices for themselves nor secure them for their associates.

Professing to be Republicans or Democrats, they have asserted that republicanism did not prevail in Utah, and to establish it and make it flourish they have sagely demanded that a small minority of the citizens should be placed in entire domination of all local affairs, the great majority to be completely stripped of every political right and privilege. That is their idea of republican government. They pretend to judge the permanent citizens of this Territory by their own vicious standard. Desiring to oppress and make residence here obnoxious to the majority, they affect to believe that the people whom they desire to spoil would, with Statehood, retaliate in the same spirit upon the minority.

And yet they know better. And so does every person familiar with the "Mormon" people. They know that the masses and their leaders have treated them with courtesy and forbearance. That they have been permitted to abuse and misrepresent the majority to the utmost of their power without molestation. They have had greater freedom, yea license, in this regard, than they would have been allowed to exercise in the same way in any other community on earth. But they are of too low a stamp to appreciate this turn-the-other-cheek magnanimity, and have taken advantage of it like the commonest brutes.

The respectable non-"Mormons" well know that they are as secure in the enjoyment of their personal rights in Utah as anywhere in the United States, and that there is no disposition on the part of the "Mormons" to interfere with or injure them in the least. Yet they have not the courage, except in a private way, to deny the monstrous falsehood that "Gentiles" would be in danger if Utah should become a State. They are, many of them, in abject fear of the vagabonds and schemers who expect to profit by the political destruction of the "Mormons." They should never speak of "Mormon submission to the Priesthood," while they are terrorized by a few venomous adventurers, disappointed politicians and libellous Bohemian scribblers.

The Latter-day Saints or "Mormons" have been taught from the beginning by the revelations of God to them and by the public instructions of their leaders, that it is an essential part of their religion to respect and maintain the rights of others. This is enjoined upon them as a sacred duty. It is a fundamental part of their creed. In their relations to the civil government, they are commanded to support constitutional laws for the equal protection of all mankind in rights and privileges. Conscience, they believe, should be free. Good men and wise men should be sought for diligently to

hold office under the civil government, and no religious test should be required of any person elected to hold a public trust.

If Utah should become a State with a majority of its citizens members of the "Mormon" Church, the State would be as separate and distinct from the Church as in any part of the Union. In their civil capacity, the "Mormons" could not take a course to oppress their non-"Mormon" fellow citizens without doing violence to their most sacred convictions and obligations as Latter-day Saints. The State Constitution provides for the civil and religious rights of all, without respect to creed or party, and the majority of the citizens would have the added requirements of their religion to uphold and preserve those rights that are guaranteed under the fundamental law of the State.

The rights of minorities are recognized by the people of Utah. That is to say, no person should be deprived of any right or privilege that belongs to a citizen because he is in the minority. They go further than that in their theory of government. They believe it right that a minority should have its fair share of representation in the affairs of the government. They have given practical proof of this on several occasions, and the sharp lines that have been drawn between them and their non-"Mormon" fellow citizens have been stretched by the vicious class to which we have alluded. They have provoked the conflict and put the people on the defensive against their vile attacks.

And it has been a question of self-preservation and self-respect. The people have not desired to affiliate with any of the disreputable creatures who have thrust themselves to the front and assailed the best men in the Territory with foul epithets and lying accusations. With such beings we wish to have no association. But we would not deprive them of a single right because they are in the minority. Nor have they been molested in any way or hindered in the free exercise of any political power. We have yet to learn that a small minority of voters can demand support from the large majority whom they continually revile, under any rule of politics or principles of republican government.

Should Utah become a State in the Union under the movement now in progress, we can say in sincerity and from a knowledge of the sentiments of those who are engaged in it, that minority privileges are likely to be extended in a far greater degree here than elsewhere in this republic. The work is in the hands of the registered voters. Gentlemen who have formerly figured most prominently in the affairs of the Territory are now out of politics, as they have no votes and cannot hold office. But they are and have been as ready to recognize and support the claims of minorities as any one can be. And this must be so for the reasons we have already assigned.

Let no one at home or abroad be deceived by the atrocious yet silly pretended forebodings of trouble to "Gentiles," in the event of Utah's admission into the Union. They are of the same nature as the alleged prediction of Sherman in 1887, that if Cleveland was elected, prominent Ohio men would have to go out of business. The New York World states that one of these prominent business men who pretended this terror and induced Sherman to utter that nonsense, was Harper, the Vice President of the Fidelity Bank of Cincinnati, which has lately been added to the list of financial frauds that have disgraced the country. He has gone out of business with a vengeance, and is likely to finish his career in jail. The Utah prognosticators of evil are of the same stamp, and will most likely reap a similar reward for fidelity to their profession of defamers of Utah and retailers of palpable falsehood.

THE PRESIDENT'S WITHDRAWAL.

The absolute withdrawal by President Cleveland of the acceptance formerly given by him to the invitation to visit St. Louis during the Grand Army encampment there, is as clever an exhibition of excellent tact coupled with perfect dignity, as anything we have read of in all his history, and he is noted as being peculiarly happy in that line of deportment. Elsewhere in today's impression, in the regular telegraphic columns, will be found comments on the subject, and in yesterday's paper was the letter of Mayor Frances and others, of St. Louis, and President Cleveland's reply thereto, together with a complete statement of the case from first to last. It will be remembered that a few hot-heads among the G. A. R., led on by General Tuttle, of Iowa, expressed hostile sentiments regarding the plan to have the soldiers honored by the presence of the national executive and they represent a class whose occupation would be gone if sectional strife were buried as all dead things ought to be; so when an opportunity occurs to fan a previously unseen ember, the task is at once prosecuted with a wholesale energy worthy a better cause; and in this particular instance they utilized the fact that Mr. Cleveland's name was not on the army rolls of the war of the rebellion, although an able-bodied man all the time. The fact that the great majority of the ell-

gible male citizens of the country, and some of them very prominent ones whose loyalty was never questioned, were in the same position exactly, made this little straw through which comfort was sought to be drawn look more like a subterfuge, an excuse for offering the President a coarse and vulgar affront because he is a Democrat and they are Republicans, than anything else, and explanations and self-solicited interviews thronged the channels of public information for a while like logs in the Kennebec during the lumbering season. Then came the flag episode, with the details of which our readers are already quite familiar. It was a pretty tenuous sort of substance to conjure up political clap-trap withal, but it was seized at with the avidity of a drowning man grasping at a straw. Commander-in-Chief Fairchild unloaded anathemas amounting almost to blasphemy upon the devoted head of the President and his advisers, and the Tray, Blanche and Sweetheart of the following snarled in tuneless accompaniment of the big growl. Well, the *esprit du corps* worked up by that incident had about evaporated, and upon its collapse all eyes were turned toward Washington to see what the head of the nation was going to do in the premises, realizing that it would never do for him to assume a tone even flavored with the apologetic, nor yet to boorishly say nothing and keep away. He has spoken now, and his speech is so apropos and to the point that to take from or add to it so much as a word would mar its symmetry. It is not the humble excuse of one who feels the justice of the reproach, nor the labored explanation of one who has been defeated in a wrong position, but simply an announcement that he cannot afford to submit to indignity because of the position he holds if nothing else, and that under the circumstances the good people of St. Louis will excuse him for not attending pursuant to their generous invitation, for which he returns kind thanks.

The Grand Army is an organization composed mainly of patriotic men, but they would show their wisdom wise by assuming the control of affairs which naturally belongs to them as the majority, and sitting down on the loud-mouthed demagogues who seek to control everything in their own interest. When they are permitted to drit so far in the direction of fatuous folly as to offer an unprovoked affront for political effect to the Commander-in-Chief of the Army and Navy of the United States, the grandeur of the organization takes flight at once and a grabble seems to appear where we have a right to look for loyal and chivalric soldiers. The great bulk of the citizens of St. Louis are already vastly indignant at this to them humiliating outcome, and will make themselves substantially heard from later on. As it is, if the ones who provoked the friction have not already raised a demon which they cannot control, the escape from such a situation will be very fortunate.

THE HAWAIIAN GOVERNMENT OVERTHROWN.

ADVISED have just reached San Francisco by steamer of the breaking out of the revolution which has been threatened in the Hawaiian Islands for several weeks, and the complete overthrow of the government. This was accomplished all at once and without bloodshed, the King making no further resistance to the pressure brought to bear upon him. That this was the wisest course he could pursue is very evident, as the greater part of the citizens and sojourners of the Islands were opposed to the now defunct government and its methods, and had made ample preparations to accomplish by violence if necessary what his prompt and satisfactory action happily obviated. Kalakana is permitted to remain upon the throne, but he "holds a barren sceptre in his grasp," as he has consented to the people's will having full sway; and as they have denied his further exercise of any authority whatever and are in full power themselves without a King, it is not too much to say that Hawaii is for the time at least, practically a republic. All the details received will be found in our telegraphic columns.

THREE TICKETS.

Last winter the Democrats of Utah undertook to play a little game at Washington. As prospects of success loomed up in the near future, consternation seized certain Salt Lake Republicans. The wires were used, the little game was blocked, even at the moment when the stake seemed won, and a split was made in the ranks of those operating against the interests of the majority in Utah.

At a meeting of the Loyal League held in this city June 8th, the speakers made frantic efforts to repair the breach. But the failure of the attempt is signal. The Washington episode rankles in the recollection of the Democrats, and their disappointment and chagrin were too excessive to be so soon forgotten. They have given positive notice that they will not support a "Liberal" ticket, by "Liberal"

they mean the hybrid, nondescript, clique which is beginning to assume, at times, the name of Republicans.

The depth and breadth of the chasm created by the Washington incident has been fully revealed since the making of the nominations in the Twelfth Ward Assembly Rooms last Wednesday evening. The meeting which made those nominations disdains the name of "Liberal" or Republican. It was Democratic, straight.

There will probably be three tickets in the field, as a result of the falling out.

FROM SATURDAY'S DAILY JULY 9.

Released from Prison.

Yesterday Thomas Kirby, of Logan City, and Abram Chadwick, of North Ogden, were brought before Commissioner Norrell, for release from the penitentiary, where they have been serving their terms for unlawful habitation. An examination was held and these brethren were discharged.

Mexican War Pensions.

The Pension Department is giving close attention to the application of service claims in the Mexican war. The act was passed by Congress in January, and became law on the 28th of that month—a little over five months ago, and Messrs S. W. Darke & Co. inform us that they have already received certificates of pension for thirteen of their applicants, the most of them being members of the Mormon Battalion or widows of deceased members.

Appointments.

Elders Daniel F. Collett and Asa W. Judd, are appointed to labor in the Holland Mission; R. H. Ford, William Baker, James Thompson and William Wood, Jr., traveling Elders in the Liverpool Conference; Thomas A. Greenhough and Daniel K. Green, traveling Elders in the Manchester John Briggs and Jos. C. Pixon, traveling Elders in the Liverpool; John Batty and John Howard, traveling Elders in the Sheffield; Chas. Kingston, traveling Elder in the Norwich; Wm. Drage, traveling Elder in the Nottingham; Robert W. Stoney, traveling Elder in the Leeds; Ephraim Marshall, traveling Elder in the Newcastle; Chas. Seegmiller, traveling Elder in the Bristol; James T. Thorne, traveling Elder in the Glasgow; David R. Gill, Thomas B. Davis and Cornelius Green, traveling Elders in the Welsh Conference.

Elder Duncan M. McAllister is appointed to labor in the Liverpool office.—*Millennial Star*, June 20.

BARTON BOUND OVER.

A Case That Savors of Some Excceedingly Unpleasant Details.

The taking of testimony in the case of Hyrum B. Barton, charged with bigamy or polygamy, was concluded yesterday afternoon before Commissioner Norrell.

After the close of the report in yesterday's News, the alleged second wife, Laura Berry, after refusing to tell where her child was born, testified: The defendant has lived at my house in Ogden, paying \$15 a month board, and I think that's cheap enough. When I opened my house in Ogden, I didn't have a single article of furniture—not a thing. I got things gradually by taking in sewing. When Mr. Barton started to board with me he furnished his own bed and I had mine. I did not move to Ogden at his request. I was on the street five days after my baby was born—with my baby in my arms. Mr. Barton didn't tell me to go to Ogden, and I didn't know he was going. We simply happened to go on the same train together.

Mr. Peters—What was the name of this man you married?

Witness—Preston was the name he gave me. I have never seen him since two or three weeks after my marriage. John Preston is the father of my child. He was a stranger here. I think I met him; went with him a few weeks and married him, or I thought I did.

Mr. Peters—Was he a white or a black man?

Witness—A white one I guess. He looked like it.

Mr. Peters—Isn't Mr. Barton the father of the baby?

Witness—He is not.

Mr. Peters—How about the rides you took with Mr. Barton?

Witness—That's all right; I used to like riding and I went; I never went through any ceremony of marriage, with Mr. Barton; since he commenced boarding with me, I have talked with him about marriage; he said if he could marry me through the Mormon Church he would do it; if he could I would marry him to-day; my baby's name is Birdie Preston; I am Mrs. Preston; that's the name I am always known by.

Mr. Peters—Why did you give your name as Miss Berry in this room?

Witness—Well, I guess its because I don't know the way of the courts.

Mr. Peters—Don't you know that you are reputed to be the second wife of Mr. Barton?

Witness—I heard of it, and I wish I were.

Mr. Peters—What does his wife think of it? Did you ever talk with her?

Witness—I only think of myself.

Mr. Peters—I want to know now, when your child was born?

Witness—I believe I shall decline to answer that question.