

partments of the general government are involved in violating their solemn oath of office as provided in Art. 2, Sec. 1, Par. 9 of the Constitution, and also the 1st amendment of the same, providing that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." But the law extends further upon the forbidden domain of constitutional rights, reaching back ward, and deprives citizens of the right of franchise who entered into plural marriage before there was any law against it, thus becoming *ex post facto*, and in depriving citizens of this franchise it is done by the administration of a test oath, and not according to due process of law, thus transgressing Art. 1, Sec. 9, Par. 3 of the fundamental law, viz: "No bill of attainder, or ex post facto law shall be passed. If the franchise becomes the property of the citizen by possession, then he cannot be justly deprived of it, except as provided for in Art. 5 of the amendments to the Constitution, that is, "Without due process of law." Now the law is passed, in the natural course of events it is to be enforced, and were this done impartially, in a manner becoming the dignity of a great nation, it would not be quite so galling. It is natural for people, who look upon their nation as the best of human governments, designed as an asylum for the oppressed of every land and clime, to expect that its representatives in every department, at home or abroad, shall be men of honor, virtue and truth, who would not stoop to anything mean in their official acts, but hold themselves above prejudice and selfish motives. We also look to the officials of government to mete out the law as it reads, especially when there is nothing doubtful in the wording thereof. One might suppose who reads the Edmunds Act, that it was designed to prohibit and punish immorality, regardless of who the offenders were. But it has been announced by the Prosecuting Attorney in open court, and voiced by the Judge that the law was not intended to strike at sexual sins, but to reach this

"PECULIAR SYSTEM OF MARRIAGE."

If this assertion be true, then the law is incorrectly worded and does not mean what it says, and the assertions of Federal officials in Utah, do not cast a very exalted reflection upon Congress. If the statement is not correct, then the general government is slow to vindicate her honor, or willing that her citizens should be oppressed by corrupt and dishonorable men. Let the President of the United States verify his promise to see the law impartially administered, and there would shortly be more anti-Mormons and fewer Latter-day Saints in the penitentiary for "unlawful cohabitation." There would be fewer of the latter class unwilling to come into court and stand trial; but who can honestly blame men for evading such tyranny? In the process of the judiciary, officers of the court are sent out to arrest men, and in doing so frequently visit the peaceable homes of citizens in the quiet of night or before the dawn of morning, and in the absence of male members will insult helpless women and children, and conduct themselves in a manner becoming only to thieves, burglars and vagabonds, etc., and sometimes without proper warrants, and thereby disregard and violate Art. 4 of the amendments which says the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated; and no warrant shall be issued but upon probable cause, supported by oath or affirmation and particularly describing the places to be searched, and the persons or things to be seized. Let officers observe this rule, instead of transgressing it, and all good people will respect them more.

Then comes the empanelling of the jury, by which to secure justice. Our forefathers provided in Art. 6, amendments to the Constitution. "In all criminal prosecutions the accused shall enjoy the

RIGHT TO A SPEEDY AND PUBLIC TRIAL

by an impartial jury," and further, Art. 6 of the Constitution and paragraph 3 says, "No religious test shall ever be required as a qualification to any office or public trust under the United States." The proceeding of Federal courts in Utah will not stand this constitutional test. Men of a certain class are denied an impartial jury of their peers because by the open venire process parties are secured for jurors who are the avowed enemies of the accused, and whom we have good reasons to believe are guilty of "unlawful cohabitation" in its grossest form. The religious test is applied so that if a man is a member of the same Church with defendant he is excluded though he promise to convict. If the evidence warrant it, as did Mr. Shields, who was excluded in the case of the United States vs. Angus M. Cannon. Neither is the grand jury exempt from this dark-aged inquisition; and what justice can the accused anticipate in this condition of affairs? The eighth article of the amendments to the Constitution also provides that, "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." A glance at the history of proceedings in the courts, will show that excessive bail is required. Frequently witnesses are placed under bonds in excess of the full fine imposed upon the defendant should he be convicted. In the case, President George

Q. Cannon, had he been tried on the three indictments, the fine would have aggregated but \$300 and costs of prosecution. This is enough, and more than justice would demand, but in the bonds required of him this sum was multiplied by fifty. What more is needed to prove that the accused was not wanted for "unlawful cohabitation" but because he is prominent in the Church of Jesus Christ of Latter-day Saints. And if more proof is needed, we have it in the threats of crusaders, who declared their determination to deprive him of his liberty, and thus aim a blow at the Church and people of whom he is a prominent, most honorable, and respected member, with a character above reproach.

Unworthy would be the people of the association of righteous men. Would they not gladly furnish the amount demanded, rather than see the accused made the object of bitter persecution, when it can be honorably avoided.

Reading a little more of court doings, we learn that not satisfied with conviction the court urges

A PROMISE

of the defendant, whether or not he will obey the law in the future as interpreted by the courts. By what authority and under what law is such a promise demanded? On condition of a promise in the affirmative, the defendant's sentence is either lightened or suspended, while the man who has too much regard for his honor, and the Constitution of our country to make such a promise, gets the full penalty of the law even if he had attempted, in the past to conform to the law as it reads, and as honest men understand it. When two men are alike guilty according to the verdict, why then should partiality be shown? Are they on trial for what they may or may not do in the future, rather than for what they have been charged with doing in the past? How can a man promise to abide the law as interpreted by the courts, when the interpretation is given to fit the case and conflicts with itself from time to time. This is apparent from rulings given in the cases of the United States vs. Rudger Clawson, A. M. Cannon, A. M. Musser, Lorenzo Snow and others, making the law very broad when a "Mormon" is on trial, but very narrow for an anti-"Mormon" seducer and the like.

But suppose it is just to base the leniency of the court upon such a promise, what assurance has the court or any one else that the promise will be kept? The defendant once made a covenant with God of a most solemn character, that he would be true to God, his wives and children; and if a man will break so solemn a promise, he might possibly violate the promise made to the court, and his apparent integrity to the unjust demands of the court, would only be in profession. If I honor the Constitution of my country how can I thoroughly honor and respect that law, and the *modus operandi* of enforcing it, that tears away from the Constitution which is the basis of our civil government, many of the most vital safeguards of human liberty?

WHO ARE THE FRIENDS OF HUMAN FREEDOM?

Can it be those who will twist the law in every conceivable shape to convict men for marrying women and protecting female virtue, while the same officials will refuse to prosecute the libertine who revels in lust, despoiling virtue and opposing the peace and good order of society? I think not; and we have a right to speak and write freely; to protest against such villainy, and appeal to the nation to treat us fairly, asking no favors. Nothing but our rights. If they refuse, as in the past, we leave our cause in the hands of God, feeling rather to suffer wrong than to do wrong, and the day is not far distant when they who have misapplied the law and outstepped the bounds of their authority and hated us without a cause, will be either had in derision by the inhabitants of this land, or their names will be lost in oblivion. Patrick Henry said in his immortal speech in favor of the Declaration of Independence: "As God lives, my friends, I believe that to be his voice. Yes, were my soul trembling on the wing of eternity; were this hand freezing in death; were my voice choking with the last struggle, I would still, with the last wave of the hand, with the last gasp of that voice, implore you to remember the truth: God has given America to be free."

M. F. COWLEY.

CORRESPONDENCE.

THE HAWAIIAN MISSION.

NEWSY NOTES FROM HOMESPUN.

LAIE, March 24th, 1886.

Editor Deseret News:

It is quite in order to say that spring is here; but as there is not the least difference in the weather, to what we have had all winter (?) one can only look at the calendar and say, "this is certainly spring."

In my last letter we took a short look at Laie Net. Now, there is so much I want you to see with my clumsy pen-spectacles, that I scarcely know where to commence. You must know we are a very lively, busy (abem!)

LITTLE COMMUNITY.

Those who lived here years ago, when six or eight Elders, and three families constituted the whole white population, would hardly recognize us now. You

see, there are 22 Elders, 10 women and ten children of the white people here. Then, there are about 200 or 300 natives living on the plantation.

Conference is drawing near, and the Elders are all coming in from the surrounding islands. Everything and everybody wear quite an air of preparation.

It is expected that four Elders will be released to return home this conference.

As I am running about from one subject to another in this letter, I will not attempt anything descriptive, but mention the few current items of news, and wait till another time to tell you about the scenes around here.

There is one thing deserving of special mention. And that is

THE LAIE BRASS BAND.

When we came here last December the band had been practicing about a month. So they have been organized only about five months. And they play extremely well, for the length of time. The natives are generally very musical. And the ones selected for this band are all very good natural musicians. They have been trained and led by Brother Fox, of Lehi, and he may well be proud of the result of his labors. The instruments are fine ones, and cost \$400. It is nice to hear them play some bright, lively tune these lovely tropical starlit nights; one forgets the distance from sweet home, and all the gloomy scenes being enacted there, and only remembers the "fourth of July" celebrations of one's childhood.

SUGAR-BOILING

has stopped for a few weeks. About half the crop has been taken off, realizing perhaps \$7,000 or \$8,000.

It is expected that two more artesian wells will be dug soon to furnish water for land to lease to Chinese for a rice plantation.

We had a recent addition on the 28th of February to our little colony in the birth of a son to the wife of J. F. Gates; mother and child doing well.

Oranges and lemons have all gone, but the good old stand-hys, guavas, make their appearance on our tables semi-occasionally.

I will try and write you the Conference news if there is any, after it is over, till then we say to friends in Utah, Aloha oukou!

HOMESPUN.

DEATH OF AN OLD CITIZEN.

HEBER CITY, April 7, 1886.

Editor Deseret News:

A good man has gone to rest. Elder William Bell so well and favorably known in Salt Lake City (where he formerly lived) as well as in this place, died at his residence at Heber City, March 22d, 1886, aged 70 years and 10 days. The funeral service was held in Heber Hall, when suitable addresses were delivered by President John M. Murdock, Elder John Duke, Patriarch Thomas Hicken and Bishop Clegg. The people turned out en masse, and 26 carriages and wagons followed his remains to the city of the dead.

Father Bell has been sick for many years and entirely unable to work for the last three years; during his sickness he has been faithfully attended by his wife and family, and every kindness shown him that could be expected.

Brother Bell was born March 12th, 1816, in Barnard Castle, County of Durham, England. He was baptized by Elder R. Gillis, Nov. 12, 1830. He emigrated to America in the ship *John M. Woods*, in the spring of 1854, and arrived in Salt Lake City, October 1st, 1854. He was a cabinet maker by trade, and worked for President B. Young for 15 years. He removed to Heber City in 1869, where he remained up to the time of his death.

He was a worthy man and consistent Latter-day Saint, and leaves a record behind him of which his posterity need never be ashamed. He held the office of High Priest for many years, and died as he had lived, a true Latter-day Saint.

HENRY CLEGG.

OUR LETTER FROM THE "HUB."

"Wandering Ute" Speaks of Boston Behavior.

BOSTON, April 11, 1886.

Editor Deseret News:

Before returning to home I have noted down a few of my observations of things in general in the "Hub," and as I looked over them I thought some of them might be interesting to a few of your readers who may never come here to see for themselves.

BOSTONIAN CHARACTERISTICS—THE ROUGHER SEX.

It is well known that Boston Society lays claim to the very highest American culture, and as I was eager to find what this consisted of, I have tried to avail myself of every opportunity to notice the peculiarities of so-called cultured people. First, let me start with the men (the more uncultured sex). They are careful to appear well-dressed, boots blacked and hair either well oiled or cut to stand straight up on the head (scared-to-death fashion); a careless air is preferred to a courteous one, as the latter might hint at want of American independence. They are generally cavalier enough to sit carelessly in a street car and let the ladies stand, especially if the ladies are not in silk attire. Of course they have been through college and studied

all the branches of learning—just to take the course—and have forgotten more than the western young man ever heard of. The latter may have a much better idea of the object of his study and consequently may make better use of his learning, but the meal does not begin to consist of as many courses as that the cultured young men at the "Hub" have to digest.

They attend church when the speaker is a noted one, and the music extraordinarily fine; they prefer lectures to sermons—though there are but very slight differences in the two here, as a rule. They are very moral, none owning two or more wives, or cohabiting with more than one woman "in the marriage relation." Do not suggest to them that you suppose they do not out of it, or they will smile, and look at you as if you hadn't learned the society ways. They are all interested in politics, and the labor question, to some extent, while a few work nobly in the interest of humanity, helping the poor to get daily bread and education, and the drunkard to return to sober ways. These deserve, and will, I am sure, receive their reward. And there are also many, especially in the middle ranks of life, with a fair, practical education, imbued with a Christian-like spirit, who are reasonably free from the "seven deadly sins" which a reverend minister not long since singled out as being sins of young men in modern times (I suppose he meant in this part of the country, as I do not think we are at home afflicted with any of them to any great extent.) They are laziness, drunkenness, gambling, untruthfulness, dishonesty, want of virtue and unbelief.

THE BOSTON LADIES.

The ladies impress one always with their self-dependent air. They do not appear to care whether they have a gentleman for an escort or not, and are quite above looking for any particular little attentions from the creature. Handsomely and tastefully dressed, and with that ease of bearing that denotes all the culture they lay claim to, one begins to admire them, and soliloquize on the superiority of the sex in general and Boston ladies in particular, when, to his utter disgust, he suddenly sees a couple of the admirable beauties lugging an ugly poodle dog, each in her arms, as a fond mother would a loving child. It is openly declared here that many wealthy ladies spend a great part of their time in this noble, elevating calling of attending to pet dogs. Could anything be more lamentable than such a ridiculous waste of attention, tender, watchful care, and affection, which many a motherless child might be made happy with, not to mention a still nobler calling that might take the place of this barbarous one.

THE FINE ARTS.

Both men and women encourage the fine arts here as if it were a sort of a duty so to do. The Japanese are receiving considerable attention here this winter, and it is the right thing to do to admire everything oriental.

The Sabbath is variously observed. Temperance lectures—where the noisiest applause is indulged in—are held; "sacred concerts"—very unlike B. B. Young's at home—are held in the Music Hall, where all kinds of songs, even the negro minstrel sort, are sung and boisterously applauded and recalled every Sunday evening. I did not anticipate this in the "world" (as we term it) as in old Wales the Sabbath was even better observed by all classes than it is at home, but either the "world" has grown worse since then or America and Wales differ greatly, to the former's discredit.

Boston is great for many of the excellencies of this world's affairs, but I cannot bring myself to see that here, civilization and Godliness walk hand in hand. And I cannot but hope and pray with more solicitude than ever, that in Utah as we grow in learning, we may not cease growing in Godliness.

WANDERING UTE.

PEOA ITEMS.

PEOA, Summit Co., April 8th, 1886.

Editor Deseret News:

Although your paper is quite extensively taken in this place, I seldom see any news in it from here, so I thought I would write a few lines.

Our settlement is reasonably prosperous, and although winter still "lingers in the lap of spring," our people are getting ready for farm work. In the last few years some six or eight hundred of hitherto uncultivated bench land has been taken up and utilized and now yields fine crops of wheat and oats. There are several saw mills near here which turn out large quantities of lumber, shingles, lath, etc., which find a ready sale in Park City. This season has been a very backward one, and the surrounding hills are still covered with snow. There was some fine weather in February, but March was wintry in the extreme. PEOA boasts of two thriving well-kept stores, and the old saying, that "competition is the life of trade," was never more fully proven than in this place. Each store is making a worthy effort to secure the bulk of the trade, and the result is, that while groceries and dry goods are cheaper than in any other place in this section of the country, people who carry produce to these stores get from 20 to 30 per cent. more for it than the stores in the other settlements along the river give.

Although almost completely isolated from the great outside world, the

News keeps us informed of events in other parts of the land.

THE GREAT STRIKE

in the States has at length reached our quiet burg, and a few days since the superintendent and clerk of the co-op. here concluded that their services were worth more than they were then receiving. Accordingly, they "struck," and with the result that the clerk's salary was increased one-third and the superintendent's 100 per cent. If the Knights of Labor are equally successful, Jay Gould will either have to raise passenger and freight rates on his roads or declare smaller dividends to the stockholders.

We are watching with great interest the proceedings in Salt Lake against our brethren who are arrested and imprisoned for their religious belief, and ask ourselves "How long will this last? How much longer will the Lord suffer His people to be oppressed by the enemies of Zion?" But this treatment is no more than the Saints have been taught to expect. The Lord has said that he will have a tried people, and we must be purified even as gold. We can now tell the true who are willing to suffer for Christ's sake. The dross will be separated from the gold and we shall be a better people for our trials.

The non-appearance of Brother Cannon occasioned some surprise here, but we all rejoiced that he had escaped the clutches of Dickson and his gang.

For fear that I have already written too much I shall close by wishing the News success and long life.

FRANK MILES.

"FIRE"

"Stand back, gentlemen! Clear the track!" shouted the police, and as the quickly-gathering crowd surged back, steamer No. 4 came up the street, the magnificent black horses striking fire from the pavement.

But hold! A wheel comes off! the steamer is overturned, and the brave firemen are picked up bleeding and senseless!

An investigation revealed the fact that in oiling the steamer that morning the steward had neglected to put in the linch-pin. A little neglect on his part had caused a loss of half a million dollars. The busy marts of trade are full of men who are making the same fatal mistake. They neglect their kidneys, thinking they need no attention, whereas if they made occasional use of Warner's safe cure they would never say that they don't feel quite well; that a tired feeling bothers them; that they are plagued with indigestion; that their brain refuses to respond at call; that their nerves are all unstrung.

—Fire Journal.

Men Think

they know all about Mustang Liniment. Few do. Not to know is not to have.

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