

## DESERET NEWS.

WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - JAN. 14, 1880.

THE "BOSTON ADVERTISER"  
ON "THE MORMON  
QUESTION."

THE Boston Daily Advertiser, of December 26th, contains a long and well written letter from Elder B. F. Cummings, Jr., a missionary from this city, now in the East, containing some strictures on the allusions to the "Mormon" question in the President's message, and in Joseph Cook's prelude to one of his lectures. He shows what would be the effects of such laws as are demanded by a small clique of office-holders and their friends, on the social and political condition of Utah, and makes a strong plea for her admission as a State. The Advertiser notices the letter editorially, and we make these clippings from its article.

"The President has acted in his constitutional capacity, and there his function ceases for the present; it is for Congress to act upon the President's advice or not, as it may see fit. But there is clearly no reason in censuring him for doing what he has been elected and sworn to do."

Mr. Cummings' argument about the polygamy act of 1862 is wholly futile. The Reynolds case did not affirm the constitutionality of the law, but simply witnessed the application of a common-law principle. According to the Revised Statutes, sec. 1868, the common law prevails in Utah, and that law looks upon bigamy and polygamy as a heinous crime. That ends the legal question, as Mr. Cummings candidly concedes. But he advances to a constitutional argument.

He is quite right in ridiculing absurd propositions. But he is wrong in believing that Utah can effectually demand or enforce its admission as a State. The final arbiter of that question is Congress and Congress may act in this matter upon its discretion, as the Constitution shows very clearly. \* \* In a legal and constitutional question it is manifestly wrong to appeal to the Bible or to God. God rules in his own way, and Mr. Cummings will perhaps allow us to say to him, as a private statement, that the laws of God are as hard as iron, as chaste as ice, and as sure as the laws of gravitation."

We think that the editor of the Advertiser is in error on some of these points. We would like to know when the President of the United States swore that he would use the authority of his exalted office toward the disfranchisement of a religious community, a small portion of whom are accused of violating a law framed especially against a feature of their faith? Also to learn what clause in the Constitution requires him to make a special attack on a domestic institution, which at worst is far superior to a social system that prevails throughout the land and poisons the very fountains of life. Since when has it become the constitutional duty of the President to recommend unconstitutional measures, for the purpose of preventing his political opponents from gaining the strength supposed to be likely to accrue to them on the admission of a new State?

"Duty" had nothing to do with those recommendations. For, even admitting the arguments and prejudices against "Mormon" marriage to be correct, the evil alleged is utterly insignificant in comparison to the undisputed, wide-spread corruptions that smite with decay and death the foundations of society, and crowd around the national capital, notably disgracing and defacing the District of Columbia, over which Congress has complete control. If it is the duty of the President to urge the extinction of a custom in a distant Territory, which at least has the sanction and is under the restraint of religious convictions and authority, how much more is it his duty to draw attention to evils that are rampant and unchecked right under the eyes of our lawmakers, and whose dimensions are

gigantic compared with the diminutive "Mormon" bugbear!

The Advertiser in attempting to criticize Brother Cummings, has fallen into a very common blunder. The decision in the Reynolds case was the affirmation of the constitutionality of the law of '62, and this was its essential feature. And, as we have proven heretofore, there is no common law provision against polygamy. Bigamy was made a statutory offence by the Act of James I., and that law was copied in passing the Act of Congress of 1862. Mr. Cummings is right, the Advertiser is wrong.

As to the admission of Utah, all that Mr. C. or any of the "Mormons" asks, is that Congress will "follow precedent, law and the Constitution." He makes no plea that "Utah can demand or enforce its admission." Here are his remarks:

"The only requisition which Congress has a constitutional right to make of a Territory applying for admission as a State, having the requisite population, is that her people shall adopt a State constitution, guaranteeing a republican form of government. Congress has no right to ask what may be the political or religious opinions of the people of the would-be State. It has not even the right to prescribe the social system they shall adopt. It can only require the requisite population and a republican form of government. In utter disregard of her rights, Utah has been kept out of the Union for many years."

This is sound and incontrovertible. But it contains no such idea as the Advertiser seeks to dispute. We have provided in our State Constitution for a republican form of government of the most liberal type, and in keeping us out of the Union, Congress is acting unjustly, unwisely and contrary to long-established precedent.

Now, as to the appeal to God and the Bible, Brother Cummings says:

"The Constitution guarantees liberty of conscience to people of every creed, and in the face of this we have several thousand members of a church, including women and children, who are liable to suffer severe legal penalties for practising a religious doctrine sanctioned by the Bible, originally revealed from God, and nearly as old as the human race."

Will the Advertiser dispute the truth of this? And if the laws of God are so inflexible and inevitable as described by that editor, where is the justice, constitutionality or common sense in human enactments which seek to subvert those laws or either of them? Why is it wrong to appeal to the Bible and to God in a dispute over a question of a religious character? We have not endeavored to graft a principle of our religious faith upon the State, but the State has undertaken to interfere with the free exercise thereof. In the dispute it is alleged that this practice has nothing to do with religion, because it is clear that if it is once acknowledged to be religious in its nature, the power of Congress to touch it in any way is barred forever. How then shall we prove the religious character of this principle and its practice except by an appeal to God and the Bible, in both of which our chief opponents pretend to believe devoutly?

The Advertiser will find on a careful investigation of the subject—which we recommend as a novelty to editors in general, who are mostly in lamentable ignorance concerning it, that the argument is overwhelmingly on our side constitutionally, Biblically, justly and socially. And seeing, as the Advertiser remarks, that "God rules in His own way," would it not be just as well for presidents, legislators, judges and editors to abstain from interfering with Him and His commandments, lest they find that in fighting against "laws that are as hard as iron," they only rush upon their own destruction?

## HOW WOULD IT WORK?

THE Washington Star commenting on the propositions of the Mormonians, asks the following pertinent questions, and makes some very sensible remarks on the probable application of the desired anti-polygamic enactments upon those who suggest them. It would be a poor law that would not work both ways:

"The proposition to deprive the

Mormons of political power is much more easily made than carried out. How will the law-making power establish regulations that will operate against the Mormons alone in this respect? The suggestion is, that no man who indulges in the practice or believes in the doctrine of polygamy shall either vote or hold office, but how are the authorities to arrive at the belief of individuals? If the law shall be, as has been proposed, that other testimony than that of the man himself shall establish his belief, cannot the 'wicked Mormons' so direct it as to include Gentiles too? Such a law would do a great deal of mischief. Men of little principle would make it a machine to vent their spite against others. They would only have to find somebody who would testify—in whatever manner might be prescribed—that an individual believed in polygamy and he would be deprived of his political rights. It would probably lead to the existence of professional witnesses such as had much power in the great 'Popish plot' in the time of Charles II. of England. Besides, under this government a man cannot be deprived of his rights except upon due process of law. Those who have suggested such a summary plan of dealing with the Mormons had better weigh the subject well before attempting to have Congress act upon it."

## PROBLEM SOLVING.

THE Philadelphia News, speaking of the fight over the Governorship of Utah, says: "What is needed is a man of nerve, and if President Hayes can only find a miniature Grant for the position, the 'Mormon' problem would soon be solved." The only need for "a man of nerve" is the pelting and blackguarding to which he is sure to be subjected, from a small and disreputable clique, if he does not join them in their villainy. If he has the nerve to totally ignore them, as he would a kennel of barking canines, he can get along well enough whoever he may be. But as to solving the "Mormon" problem, nerve is not the requisite ingredient. The more nerve you apply to it by way of force, the stronger it will grow and the more difficult to handle. And the Governorship has no bearing on the matter, anyhow. People talk about that small office as though it contained powers as extensive and despotic as the Czarism of all the Russias, while it is a \$2,600 position that is almost a sinecure.

The Stockton (Cal.) Independent, treating on this "solution" which seems to trouble so many manufacturers of anti-"Mormon" nostrums, recommends that the "Mormon" system be eradicated by means more comprehensive and more potential than those hitherto employed, that shall at once and forever annihilate the system. And what is this potent and irresistible solver to be? Here it is: "the fiat of the fundamental law of the land," Gracious goodness! Is not this enough to make the insoluble "Mormons" quake in their boots!

Go on with your flats, send on your supplies of nerve power! But legislators and would-be reformers, just lay this to heart: There is no problem to solve only one of your own creation. Treat the "Mormons" as you would other citizens of the United States, and Utah, as other Territories of the Union with equal population, and the "problem" would cease to trouble your addled brains forever, or so long as you follow the trite adage, "Mind your own business!"

## ANOTHER EXODUS PREDICTION.

WHAT a tantalizing people these "Mormons" are! Every now and again they are reported as making preparations to vacate their Territory and move in a body to some distant place, leaving their improvements and the control of affairs as a prey to their voracious enemies. But alas! they don't budge an inch. Sonora, New Mexico, the Sandwich Islands, and other places have been picked out by the "problem"-solvers as the destination of the Latter-day Saints, and their exodus is periodic-

ally announced as certain. But they still remain on the lands they have redeemed from solitude and sterility, worship God according to His directions and the dictates of their own conscience, and employ their time in quietly minding their own business. Why don't they clear out and leave their hard-earned possessions in the hands of the "rag, tag and bobtail" who have followed their path into the wilderness?

The latest announcement of this kind is that "Mormon" agents are endeavoring to make arrangements for the emigration of this people to Mexico. This is now "going the rounds." The annexed paragraph is clipped from a Pennsylvania paper, which with many other journals is commenting on the anticipated exodus:

"The Mormons would prove an element of strength to Mexico. They would establish peace, order, and prosperity in two or three of three border States, and prove of incalculable benefit to that disturbed and distracted country. Were it not for the peculiar marital belief and practices of these people, any civilized nation on the globe would welcome them, for they possess in a large degree the qualities that go to make up good citizens."

The "Mormons" are an element of strength for any country. Why then should there be any desire for their removal from the United States? "Their marital belief and practices," forsooth! Stuff and nonsense. What have their faith and family associations to do with other people? How can the marital relations of a few individuals in the Rocky Mountains affect a mighty nation of nearly fifty millions? If the "Mormons" are "an element of strength," promoters of "peace, order and prosperity," and "possess in a large degree the qualities that go to make up good citizens," why on earth should they not rather be encouraged to build up and occupy the waste places of the west than invited to move out of the Union? The domestic affairs of a portion of their number have no more relation to the question of their place in the nation, than the triple dippings of the "Dunkards" have to do with the politics of Pennsylvania.

Is it not about time that the sensible people of the country dropped this stupid connection of the religious views and domestic relations of a very few individuals, with the welfare and progress of a great nation claiming to be the most powerful on the face of the earth? And is it not about time that the exodus prognosticators became tired of making false predictions of "Mormon" emigration to some point beyond the confines of the Union. The Mexican guess is just as wide of the mark as all the rest of these rumors, and those who just after "Mormon" lands and possessions need not think that they will ever inherit a forsaken heritage, deserted for their enrichment. We came here to stay. Woe unto those who attempt to drive us from the homes we have made from a desert!

## A PLEA FOR THE UTES.

WE publish this evening a letter from a reliable correspondent, on the real causes of the Ute outbreak. The facts which he relates are interesting, in view of the present attempt to annihilate or banish from their lands a tribe of Indians for whom scarcely a word is favorably uttered by pulpit, press or people.

It is very evident to an unprejudiced mind at all acquainted with the facts, that a scheme has been on foot for some time to drive the Utes from their hunting grounds to make way for covetous white men, who lust for the lands which justly and lawfully, by treaty obligations, belong to the red men who have been gradually hemmed in on all sides before the advance of "civilization." The Thornburgh disaster was the natural result of the policy that has been pursued by the whites, and the result would have been similar if the position of the Indians and soldiers had been reversed, only the killing of the Indians would have been bulletined as a victory, while the defeat of the troops is denounced as a massacre.

The great barrier to a fair defence of the Utes is the alleged outrages on the Meeker ladies, which have

lately been openly charged against a number of that tribe. No one can think of these atrocities without the deepest feelings of indignation that move the human heart. Nothing short of the lives of the monsters who perpetrated these infamies will satisfy the cry for vengeance and the demands of justice.

But we cannot consistently join in the popular clamor, which we regret to say is swelled by the voice of some respectable portions of the press, for the destruction of a tribe because of the acts of a few of their number. It is admitted that the Indians, when aroused by the oppressions of the whites to go upon the war path, are often guilty of the vilest deeds possible to men inspired by fiends. But do the superior race set them any better example? Are there not numerous instances on record of cruelties perpetrated upon the Indians—male and female—by white devils in human form, as horrible and damnable as anything committed by the red-skins?

We notice that when the Meeker ladies were first rescued from their capturers, the announcement was made that they had been treated with respect, and many eulogies were passed upon the conduct of the Indians who had held them in their power. This worst accusation is a late development. And it is only a report. True, it is stated that this dreadful charge was known to the Commission at the first. But it is certainly strange if that is the fact, that the Commission should praise the Indians for their courtesies to the captives.

We do not accept the charge of the outrage of the Meeker ladies as proven. And we do not endorse the cry for the destruction of the whole tribe, even if this accusation is substantiated. We demand for the accused Indians, the same treatment as would be accorded to white prisoners charged with the same crime. Let them be fairly tried and heard in their own defence. If it is shown satisfactorily that they committed this crime, which is worse than murder, let them be hung up by the neck, as a warning to all other villains, white and red, who outrage defenceless women; but do not slaughter those who are not guilty of a capital offence.

What would be thought of a "Christian" editor who would advise the indiscriminate massacre or banishment of a colony of white people because a dozen of their number had committed murder and rape? Two villains from a northern mining camp, recently outraged a squaw in such a manner that she was left for dead in the snow with her papoose. Will any person or paper howl for the destruction of all the inhabitants of the camp to which those beastly vagabonds belonged? We think not. But it seems a difficult thing to impress the western mind with any idea of justice, when red men instead of white men are accused of crime.

The fact is, the whites lust for the land of the reds. They have robbed, plundered, driven, abused, lied about and crowded the remnants of the land until the homeless outcasts are obliged either to lie down and die, or turn like a stag at bay and fight with the weapons at command, the dogs that are flying at their throats. It is claimed that the inferior race must succumb; that the Christians need the domain of the savages; that the plains are wanted for agriculture and stockraising, and the mountains for the minerals hidden within their recesses, and that therefore "the Utes" and other tribes "must go." But where shall they go to? What spot can they find where civilized rapacity will not follow them with rifle, revolver and cannon to blow them into kingdom come? And if the needs of the march of civilized humanity demand the lands of a decaying race, is there not some just and humane method of obtaining possession or control, without resorting to the most damnable atrocities in the name of Caucasian advancement, as an excuse for pillage and a warfare that is next of kin to wholesale murder?

We have no syllable of excuse for the diabolism of the Utes; we ask no mercy for the wretches who committed the crimes on the Meekers; we only claim that common justice for the reds that would be demanded for white men, and punishment for the individuals proven guilty instead of the indis-