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THE ROOT OF THE WRONG INTENDED.

THE Springfield, Mass., *Republican* is an able newspaper, and has said many sensible things on the "Mormon" question when it has touched on points that its writers understood. Recently, however, it has uttered some very palpable errors, and has exhibited the lack of information and sound reason common to the American press when touching upon this popular topic.

In a long editorial under the head of Anti-Polygamy Legislation, it commends the bill introduced by Senator Platt and designed to prevent the monogamic "Mormons" from voting and holding office. It thinks this is preferable to the Cullom bill, but only shows in a general way the reason for this preference. The effect of the two bills is exactly the same. Each formulates a test oath framed to disfranchise every member of the Church commonly known as the "Mormon" Church.

The *Republican* says:

"This bill disfranchises, and prohibits the serving on juries, of two classes of persons, both law breakers in fact or in attitude."

Does not the *Republican* know that the "law-breakers in fact" have been disfranchised since March 22, 1882? If not, the Edmunds law of that date will demonstrate the fact, and the various annual reports of the Utah Commission, since that date, testify to the enforcement of the act and show that the polygamists have refrained from registering and voting.

If the Platt bill disfranchises actual polygamists, then it is surplusage and of no effect. It is labor in vain, and nothing but sham and pretense. It can have no object in purporting to do this except to give color to the claim that it is a bill against polygamy.

What a "law-breaker in attitude" but not in fact is, we would like the *Republican* to explain. Also we would be pleased to have some pre-

cedent cited for the punishment of persons who are not "law-breakers in fact." We do not understand that the jurisprudence of this country has yet reached the length of condemning and punishing persons because they are thought likely to commit a crime.

"Let me alone, can't ye, Jonathan?" "Why, I aint a touchin' on ye, am I?" "No, but waru't you a going to?" This may do very well in a burlesque picture, but it will not stand, in law or logic, in the place of definite performance. "Attitude" is one thing, action is another. And only for overt acts can a person be lawfully punished in any way.

But in this case the "Mormons" who have refrained from breaking the law are not even lawbreakers in "attitude," whatever that may be. They have already taken an oath not to violate the laws of Congress in reference to sexual offenses. Neither in fact nor in attitude can they be fairly classed as law-breakers.

The *Republican* says that with the actual offenders are classed those who indirectly aid and abet, counsel, teach or advise polygamy. But such persons are already disfranchised. The Edmunds-Tucker act of 1887 covers their case. The test oath which all voters in Utah must take shuts out such indirect participants in the actual offense. Therefore this also is a work of supererogation.

The second class of the disfranchised is described as "those who do not accept the laws of Utah and the Constitution of the United States as supreme rules of civil conduct."

Well, this is in the same category. Every voter in Utah can subscribe to that provision. It will shut out no "Mormon" who has taken the test-oath now in force. Surplusage again.

Where, then, is the objection to the bill? It is this: It prevents from voting, or holding office, or jury service citizens who are not law breakers in fact, in attitude, or in any other sense, if they belong to the same Church as persons who have broken the laws, or if they contribute anything to its support.

The *Republican* quotes from the *DESERET NEWS* and from the *Denver Republican* as follows, and says, "Neither of these statements is candid."

The *DESERET NEWS* said:

"It ought to be clear to every lover of constitutional freedom, that disfranchisement of innocent citi-

zens because they are members of the same church as persons who may be guilty, is in spirit, if not in letter, a violation of the fundamental law, and subversive of republican liberty."

The *Denver Republican* said:

"The men who are guilty of polygamy in the Mormon Church ought to be punished, but the men who are not guilty of polygamy ought not to be treated as though they were guilty."

Wherein is either of these statements "not candid?" Does not the Platt bill propose to disfranchise "innocent citizens because they are members of the same Church as persons who may be guilty?" Does it not in effect politically punish men in the "Mormon" Church "who are not guilty of polygamy" "as though they were guilty?"

The *Republican* says:

"It is not an injustice to refuse the suffrage to the members of the Mormon Church so long as that Church teaches and abets polygamy."

And yet that paper calls itself *Republican*! What has Congress to do with the teaching, or creed, or theories of the "Mormon" Church or of any other church? Will the *Republican* claim that every Catholic in Utah ought to be disfranchised, because recent utterances from the Pope and leading dignitaries of that church have placed the authority of the Church above that of the State?

Our position and that of every person and paper not influenced by anti-"Mormon" prejudice so as to be unjust and un-republican is, that punishment, either penal or political, ought not to be inflicted except for violation of law. Also that to disfranchise men for belonging to a church which has for one of its tenets the rightfulness before God of a practice taught in the Bible, even though they do not enter into that practice and perhaps do not subscribe to the views of the church in that one particular, is unjust, un-republican and unwise. And that it cannot be defended except by sophistry, by disguising the actual facts, and by pretending that it is designed to accomplish something which it cannot effect and for which it was not intended.

The pretense that the bill is aimed against polygamy, when it will not punish or have effect upon a single practical polygamist, and when it will punish both practical and theoretical monogamists, is utterly hollow, fraudulent and false.

The whole purpose and intent of the measure is to place Utah in the hands of a minority of its citizens,