May 3

THE DESERET NEWS.

THE EDMUNDS BILL. HUNTINGTON,

Emery County, Utah, April 8tb, 1882.

tor Deseret News:

hope you will excuse the liberty ke of addressing you on the sub-In relation to the constituality of sections 8 and 9 of said I will quo e from Broom and tley's Commentaries on the vs of England (with American) a assured by prominent lawyers LES.

a should have before the people bound by them, it says, p-ge 27: Yet, whatever method is made of, it is incumbent on the pro Igators of a law to notify it in Dallas, 338. most public and perspicuous An ex post facto law is thus de-ner. Not like Caligula, who fined: 1st. "Every law that makes

Page 28 says:

ty could foresee that an action, der to convict the offender."-Ib. nocent when it was done, should 390. afterwards converted to guilt by anubsequent law. He had therefore cause to abstain from it, and all attaching a condition, to the exermishment for not (p.29) abstaining cise of any office, right or duty, can, is ist of consequence be cruel and in effect, inflict a punishment for a the just. Laws should therefore, in man-ral, be made to commence in at the time it was committed, Cumjuro, and be notified before their mings v. State of Missouri, 4; Wall, mmencement which is implied in (U.S.) 277. To deprive or suspende term 'prescribed.'" R. Now it may be claimed by the en- civil right for past conduct, is punnies of the Latter-day Saints, that ishment for such conduct."-Ib. ey did know they were commitging crime by marrying more than e wife since 1862. I will have to swer that by saying that for six- and preach, to take and subscribe an nstitutional, and did not think it bill of attainer within the meaning nding upon them until passed up- of the Constitution of the United h by the Supreme Court of the States, and it is therefore void."nited States, and as far as the Ib. Mormons" themselves are con arned, they are willing to stand by law changing the punishment for nd obey any just law passed by offences committed before its pasongress, but are not willing to give > their religion for any ex post facto the Constitution, unless the change unconstitutional law that man consists in the remission of some ay make, but are willing to stand y the Constitution, and obey its andates, knowing as they do that he order of celestial marriage is as nding upon them as any part of meir religion; also knowing that that authorities. Talking of changes it -inciple was revealed to Joseph says: mith, giving to him a comhand that it should be obeyed, just s much as they know that any her principle of the gospel was resaled to him, or that the gospel we elieve in to-day is the same gospel aught by Jesus, or the Apostles, or ie prophets of ancient days, notithstanding the "Christian" min. ters of the day contradict themlves in regard to the Daity, by ying he is unchangeable, that the riptures are full, and that all revetion is done away with. Now those ery scriptures say the Lord is the od of Abraham, Isaac and Jacob, ae same yesterday (anciently), toiv (the pre-ent), and forever "hrough all time to come). Now if ne Lord revealed himself to his nildren anciently, why not to-day, hy not at any time in the future. But the Edmunds bill not only ondemns all that married more man one wife since 1862, but conamns and punishes all who did so revious to that time. Section 5 says: nat in any prosecution for bigamy, olygamy or unlawful cohabitation, Inder any statute of the United first-class, such as Mitchell Farm tates, it shall be sufficient cause of and Spring Wagons, Woods' New hallenge to any person drawn or Enclosed Gear Mowers and Twine ammoned as a juryman or talesnan, first, that he is, or has been, Mowers, Droppers and Self-rakes ving in the practice of bigamy, with two Burs, Gales Chilled Plows olygamy, etc., etc.; second, that he and Horse Hay Rakes, Russell & elieves it right (not for himsel', but | Co. Massillon Thrashers, Engines or any one else) for a man to have and Saw Mills and the best Farm nore than one living and undi- Implements of all kinds, which they forced wife at the same time. Secion 8 also disfranchises all married grade of California Heavy Harness. o more than one wife, whether also light Single and Double Harnarried before or after 1862. Section ness, always in stock. For further speakes for itself. I will again quote from the above commentaries. (American notes)

page 27: "The Constitution of the United States forbids Congress from passing ex post facto laws (Const. Art. 1, Sec. 9); and it also prohibits every State from passing such laws. setucial " call disting patients in m (Const. Art. 1, Sec. 10)" (iselmour)

A law that punishes a citizen for an innocent action, or, in other words, for an act which when so prominent before the public done, was in violation of present, namely, the Edmunds no existing law, a law that destroys or impairs the lawful, private contract of citizens, a law that makes a man a judge in his own cause, or a CUPPLIES A WANT LONG aw that takes property from A and gives it to B; * * the legislature as by Wm. Wait), vol.1, pages 27, may enjoin, permit, forbid and pun-29. I will also state that I have ish; they may declare new crimes, and establish rules of conduct for all t the above Commentaries are a its citizens in future cases; they may mard authority in the United commend what is right, and prohibpeaking of the publicity that change innocence into guilt; or punprivate contract, or the right of private property." Calder v. Bulls, Z.

ording to Dio Cassius) wrote his an action done before the passing of ery small characters and hung the law and which was innocent m upon high pillars, the more when done, criminal, and punishes ctually to ensnare the people. such action. 2d. Every law that se is a still more unreasonable ageravates a crime or makes it greatthod than this, which is called er than it was when committed. king of laws ex post facto, when, (page 28.) 8d. Every law that er an action, indifferent in itself, changes the punishment, and incommitted, the legislature then flicts a greater punishment than the the first time declares it to have law annexed to the crime when n a crime and inflicts a punish- committed. 4th. Every law that aters the legal rules of evidence and receives less or different testimony receives less or different festimony than the law required at the time of Here it is impossible that the the commission of the offence, in or

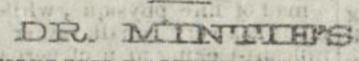
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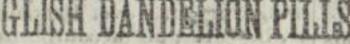
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N felt by a cortain class of suffarers, and has a high rank among remedial agents. It is a specific in the cure of all Kidney, Bladder and darangement of the Urinary Organs, Irritation of the neck of the Bladder, a burning sensation, retention it what is wrong, but they cannot of the Urize and Brick Dost Deposit, tendency to Gravel always coupled ish innocence as a crime, or violate with pain in the back, are sure indithe right of an antecedent, lawful, cations of Dropsy, Distortes and Bright's Disease of the Kidneys. A iew doses will give immediate ralief, and, if taken according to directions, will perfect a cura.

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"No State under the form or pre-

tense of creating a qualification, or past act which was not punishable any person from the exercise of any

"A clause in a State constitution which requires priests or clergymen, as a condition to their right to teach en years after that law was passed, oath that they have not done cere "Mormons" as well as a large tain specified acts which, at the rtion of the people of the United time they were committed, were inates believed that law to be un- nocent in themselves, constitutes a

> In New York the rule is, that a sage, is ex post facto and void, under separable part of the punishment before prescribed,

Hasting vs. People, 22 N. Y., (8 Smith) 105; Shepherd vs. People, 25 N. Y., (11 Smith) and several other

"But no change can be made which deprives the accused person was established for the purpose of securing a fair trial." Hart ys. State, 40, Ala. 21.

enough precedents of the above kind ranted to give satisfaction. Sold by to fill a volume, but I am afraid I have now overstepped the space you can allow me, provided you think this is worth publishing. But the above is enough to show that Con gress has already overstepped and trampled under foot the constitutional rights of the people, but perhaps they think as the ancients did, that Might makes Right. If they do think so, let them try it, and there may be more for them to do than handling the "Mormons." Yours respectfully, W. H.

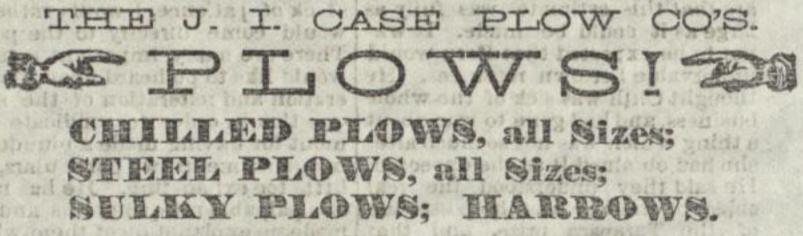
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