

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

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CHARLES W. PENROSE, EDITOR.

WEDNESDAY, - Oct. 4, 1882.

SEMI-ANNUAL CONFERENCE.

To the Officers and Members of the
Church of Jesus Christ of Latter-
day Saints:

You are hereby invited to attend meetings which will be held in the Large Tabernacle in this city, at 10 o'clock in the morning, and 2 o'clock in the afternoon of Thursday, Oct. 5th, 1882, preparatory to the Semi-Annual Conference, which will commence at 10 o'clock on Friday morning, October 6th, 1882.

JOHN TAYLOR,

GEORGE Q. CANNON,

JOSEPH F. SMITH.

First Presidency of the Church of
Jesus Christ of Latter-day Saints.
Salt Lake City,
Sept. 26th, 1882.

THE OPENING OF THE CON- FLICT.

PROCEEDINGS have been commenced by two of the Governor's appointees to obtain possession of the offices which they desire to occupy without being elected to fill them, and without any appointment from authorized representatives of the people. It appears to us that an individual who seeks to force himself into a public position in which the public do not want him places himself very unenviable situation.

There is a wide difference between being elected to a public office or appointed by a body or authority established by the voice of the people to be served, and receiving a so-called appointment from a one-man-power which the people have had no voice in establishing. And in these cases the difference becomes the more significant, from the fact that the official who has undertaken to make the appointments has exercised what may be mildly designated as very doubtful authority.

In consequence of a very wide misunderstanding by United States Senators of the laws and situation of this Territory, an incongruous Amendment was inserted in the Sundry Civil Appropriation Bill, authorizing the Governor of this Territory to fill by appointment such vacancies as might be caused by the failure to elect officers at the August election. This hurried and unnecessary piece of singular legislation prevailed. It was founded on the mistaken idea that the lapse of the election would produce "anarchy" in Utah, the provision in our local laws for holding over not being apprehended.

The Governor of this Territory, instead of ascertaining what offices were really made vacant by the failure of the election, and proceeding to fill them, so that no "anarchy" or public inconvenience might be experienced—objects which the Amendment was intended to avert—assumed that the offices for which the election should have been held, with some others the terms of which do not expire for two years longer, were all vacant, and at his leisure he has attempted by installments to make appointments for them, regard for qualification entering very little into the arrangement, anti-"Mormon" bias being the chief recommendation for most of the candidates.

The Sheriff is elected for two years and until his successor is qualified. He has to give bonds in the sum of at least five thousand dollars, to the approval of the Probate Judge, which must be filed in the office of the County Clerk. The Auditor of Public Accounts is elected for two years and until his successor is elected and qualified, and must give a bond in a sum not exceeding the whole amount, nor less than one-half, of the revenue of the Territory for the year next preced-

ing his election, with sureties to the approval of the Probate Judge in whose office it must be filed.

It does not appear from the affidavits that the present applicants for these offices and their emoluments have qualified according to law, and indeed it would perhaps be rather difficult for them to do so, as it is not likely that a Probate Judge in his right senses would accept the bonds and sureties of persons desirous for office, while the offices are occupied and the bonds of the lawful incumbents are already on file.

The writ of mandamus resorted to for the purpose of squeezing into a place where there is no vacancy, does not appear to us the proper course even if the applicants have a right to the position. The usual object of a mandamus is to compel the performance of an official duty which the law requires but which the officer refuses to execute, and is issued when there is no adequate remedy in the ordinary course of law. There is another mode of procedure which could have been taken, rendering the mandamus unnecessary. But this will no doubt be fully argued when the cases come up before the Courts.

A mandamus, or writ of mandate, is either alternative or peremptory. The alternative writ, as in these cases, commands the performance of the act required or to show cause why it is not done. The defendant then has the right to appear before the court and justify his course, if possible. If he does not appear or if on appearing his answer is not deemed sufficient, a peremptory mandamus may be issued requiring the officer, absolutely, positively, to perform the act required. Arguments to show why the writ should not in these cases be made peremptory, will be heard before Judge Hunter on the 10th of October.

The decision in these cases may not affect others in which present incumbents are interested. There are some points of difference in many of them, and whichever way these turn or terminate, it need not be looked upon as a settlement of the others. Therefore those who are holding over in other offices under the provision of our local statutes, must not conclude that one decision will cover all.

We have been asked by some of our country cousins what course is to be taken if arrests are attempted in order to gain possession of offices now held by elected servants of the people. We assure them there need be no apprehension on that matter. If such an extreme measure should be adopted, the arrested persons can give bail and need not be in durance vile an hour. Under whatever pretence or statute such arrests might be made, the alleged offence is bailable, and good and sufficient bonds should be obtainable by every man in office. And even if such an issue should come, it would be far better and more honorable for a man elected to a public office to spend a little time in jail than to forfeit the confidence of his friends by betraying a public trust and show the white feather at a time when every man should stand up for his lawful rights.

In this conflict we have both justice and law upon our side, and every lover of republican principles should feel interested in the struggle. For it is a contest on one side for the exercise of arbitrary, unconstitutional, irresponsible and despotic power, and on the other for the maintenance of rights which the institutions of our country have vested in and confirmed to THE PEOPLE.

"THE SECRET OF ITS GROWTH."

The New York Star, with other journals on the Atlantic Coast, is troubled over the continued arrival of "Mormons" from abroad. But it does not fall into the same error as some of its contemporaries and allege that these immigrants come to the country with intent to break its laws. The Star virtually admits its own inability to determine the attraction which moves "Mormon" converts to Utah, and the means by which "Mormon" missionaries achieve so much success. It acknowledges that the "Mormon" Church as a propagandist is "one of the most remarkable institutions of modern times, and also that the people who arrive at New York under its auspices are not the ignorant beings they are sometimes represented to be. The Star says:

"The immigrants just arrived are fully up to the average of immigrants in appearance and in intelligence. What is the special point of attraction held out to the heads of families, to the parents of children, that decides them to embrace such a faith and cross the ocean to join a people everywhere spoken against and under the immediate pressure of the Government? The ecclesiastical system of Utah is despotic and harsh in the extreme; its so-called religion has no winsome features, and polygamy produces a revulsion in every healthy mind. Yet the Mormons make thousands of converts every year, and flourish in spite of persecution! What is the secret of this growth?

There is no secret about it. The ignorance that prevails on this subject is not in consequence of any secrecy on the part of "Mormon" missionaries, but is the result of unwillingness on the part of the public and the papers which undertake to enlighten them, to receive information from the only reliable source. They will accept the most absurd statements from the avowed enemies of the "Mormon" system and people, but will not listen to the explanations and testimony of those who know and will relate the facts.

The Star makes three assertions in regard to "Mormonism," in expressing its wonder at the number of "Mormon" converts, and each of them is incorrect, and based on hearsay. First, the ecclesiastical system in Utah is not "harsh" or "despotic," but liberal and kindly in the extreme. The Star has heard stories to the contrary and they are the inventions of interested opponents. Second, this religion has a great many "winsome features," so winsome that the people who embrace it are ready to sacrifice home, comfort, their good name and all things else for its sake. Third, the polygamy of the "Mormons" does not produce revulsion in healthy minds but, on the contrary, it is either an improper idea concerning it which causes that revulsion or the mind which rejects it is unhealthy. When it is correctly understood, healthy minds admit the good there is in it to humanity and perceive the reason why it was permitted and established of old by the Deity. It is no mistakes like these that fallacious conclusions concerning "Mormonism" and the secret of its growth are founded. The Star goes to say:

"It has one element in its favor which no Protestant sect can boast; it is to some extent a socialism. The Church authorities have a secular oversight of the affairs of its members which no other sect exercises. There is more of a real fellowship among them, even in business and industrial matters, than exists elsewhere. They look out for the hindmost, instead of leaving them to be picked up by the devil. And this feature, to poor and struggling people who feel their isolation and think that nobody cares for them, is a very strong point. The weakness of Protestantism the world over is its excessive individualism. It is no one's keeper. It lets everybody alone. It is very happy of your eminently respectable and well-dressed company on the way to Heaven; but if you drop out and go to the bad, it has only ineffectual regrets. If you prosper, well; but if you fall and fall, it may possibly pass round the hat or send you to an alms-house. There is no strong bond of fellowship, extending even to secular affairs, which people everywhere crave. This is its weakness; and perhaps the possession of this, to some extent, accounts for the success of a degrading and effete superstition like Mormonism in gaining converts.

The weakness of modern "Christianity" and its great departure from the system established by the great Nazarene, does have a little to do with the success of "Mormonism" by offering a contrast. But the real secret of the growth of "Mormonism" is this: It is the real Christian religion restored and revived. It has been set up by divine authority, and has the identical doctrines, ordinances, gifts and Priesthood which existed in the days of the Apostles ordained by Jesus the Anointed. And it gives to every true convert the same spirit as that poured out upon the disciples on the day of Pentecost. Thus the preacher and the people have a common bond of sympathy. The "Mormon" missionaries preach the gospel in its primitive simplicity and power; it is recognized as the gospel of the New Testament; a contrast exists

between it and the multifarious sects of modern times; the promise is confidently given that all who obey it by believing, repenting, and receiving baptism from the authorized administrators, shall be filled with the Holy Ghost, giving divine assurance of the truth. Wherever people do receive and obey it, they declare that this divine witness has been conferred upon them. These are the facts. This is the secret of the growth of "Mormonism." The influence of the spirit received by "Mormon" converts in every nation, is so "winsome" that it has more attractions for them than anything of an earthly nature, and that is why they cross the heaving sea and travel over mountain and plain to gather to the bosom of the Church which bears this divine treasure and has the pearl of great price.

The Star and other papers may dispute this. They have a perfect right to do so if they do not believe it. But we know it is true. There is a power which attends the preaching of this thing called "Mormonism," which its missionaries know is superhuman, and which its converts are equally certain is divine. Other people may call it what they please. But its existence and influence are unmistakable. It produces similar effects to those enjoyed in the early Christian Church, which were called "the fruits of the spirit." It has all the characteristics of the Holy Ghost as described in Holy Writ. It is conferred by the same ordinance as administered by the primitive Apostles. It brings the same assurance. It is beyond and above, and searches deeper than anything of an earthly nature, and to those who receive it is a veritable, certain, experienced, spiritual force.

Those who attempt to find out the secret power of this, so-called, "Mormonism" and ignore this fact, will never understand the system nor its workings, nor the people who have been brought under its influence, and who, before they can be turned from that system will have to be convinced that they have been deceived. Threats, bolts, bars, the sword, fines, disfranchisement, expatriation or death itself will have no effect upon them. They do not leave their native lands for mere temporal considerations; they do not cling to their Church from the common motives of selfish humanity. To them it is the work of God, and they know it, and nothing but a new conviction can turn them away.

If those who think "Mormonism" so untrue and vile can offer arguments sufficiently strong as to convince its followers they are mistaken, the "Mormon problem" may be easily solved. Let them try their hand. If they do not succeed they will at least have used "Christian" and rational weapons, and will be no worse off than now with the utter failure which has attended harsh measures. Get at "the secret of its growth," philanthropists and reformers, and then see if you can retard it. Up to the present time you have all been working in the dark.

THIS YEAR'S TAXES.

THERE appears to be some dubiety among the people as to the payment of territorial, county and school taxes for the present year. This is in consequence of the foolish course of the Governor in appointing assessors and collectors for offices not vacant, and of the equally foolish alarms raised by persons who imagine themselves legal authorities and are yet unacquainted with the local statutes.

We assure our readers that this question is not open to any doubt. No matter whether the Governor has or has not the lawful authority to make appointments for certain offices which he has undertaken to fill, there is no law, congressional or territorial, which empowers him to fill the offices of assessor and collector in the various counties.

It has been explained over and over again, that the only law under which the Governor can assume to act in making appointments is that which is known as the Hear Amendment, and this only authorizes him to fill vacancies caused by the failure of the August election. Now, taking the broadest view of this authority, even in the sense claimed for it by the Governor, the taxes for 1882 must be paid to the present officers because their terms of office did not expire with the August election,

and whether their successors take office by election or appointment they cannot enter into the offices till next year.

Under the amendments to the revenue law, made at the legislative session of 1880, it is provided that the Assessor "shall enter upon his duties on the first day of January next following his election and shall qualify within five days prior thereto;" and that the Collector "shall enter upon the duties of his office on the first day of June next following his election." The collector is also required to give a bond to the Territory "for the payment of territorial and school taxes due from him to the Territory," and also a bond to the County "for the payment into the County Treasury of all County taxes due from him to the County."

Taxes therefore must be paid to the present Collectors whatever may be the result of the litigation now commenced in regard to the county offices. In any event no one can be authorized to receive this year's taxes but the Collectors now in office who are legally bound to pay the whole amount thereof into the respective treasuries, the taxes being charged to them, they having to secure themselves by collecting from the taxpayers. Let no one be deceived on this point. There is no room or reason for quibble or dispute on the question.

RULES FOR THE ELECTION.

WE publish to-day the rules adopted by the Utah Commission for the conduct of the November election. These rules should be studied, not only by the individuals who will be appointed judges of election, but by all the active members of the People's party. Naturalized citizens who can vote at the election should be prepared with their proofs of citizenship, so that if objected to they will be prepared to meet objections, and competent persons should watch the polls so that "Liberal" aliens or individuals otherwise ineligible are not permitted to vote. "What is sauce for the goose" must be used as "sauce for the gander."

Challenges are to be allowed at the polls. As soon as the registry lists are posted up let them be closely scrutinized and the lawful steps taken to secure the rights of persons improperly excluded, if any there be, and also to obtain the erasure of names that should not be enrolled thereon. This must be done before the registrar instead of the Justice of the Peace, in the manner prescribed by the Utah statute.

Then on election day let a note be made of every improper challenge allowed, and of every improper vote polled. There should be no obstruction of any kind, but the People's Party have equal rights with the so-called "Liberals," and those rights should be firmly but peaceably and lawfully maintained.

The County Central Committees and their sub-committees ought to keep alive and ready for business, and each member should be well posted in the law and the rules. Let all be done in order, and do not fail to get a full understanding of what is right, so that any and every wrong or irregularity may be noted and reported.

LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, SEPT. 29.

Wants a Situation.—Robert Brown, an experienced miller, who arrived with the last immigrants, would like to get a situation at his trade.

The Commercial Street Case.—This morning James Carter, the brutal negro who was committed for an outrage upon a little girl yesterday, was before Justice Spiers on a charge of lascivious conduct with Mrs. Stevens and Annie Lemon. He was fined \$99. Mrs. Stevens, for the same offence, was fined in the same sum, and Annie Lemon, \$50.

Carter was also charged with resisting an officer, to which he pleaded guilty, and was fined \$50.

Another Demand.—To-day Wm. Nelson, appointee of the Governor to the office of County Clerk, called upon Mr. D. Beckhoit, the incumbent of the position, presented his gubernatorial commission and made a formal demand that the office and its appurtenances be handed over to him.