

EDITORIALS.

CONFISCATION OF CHURCH PROPERTY.

The following editorial appears in a German Socialist paper devoted to the interests of the working people. It has been translated into English, as it bears on the Utah question and should be read by all who are interested in religious liberty:

"AWAY WITH CHURCH MONOPOLIES."

"The Senate of the United States recently passed a bill which actually confiscates the property of the Mormon Church and empowers the territorial authorities to seize the Church property and to apply the same to the ends of public education. This is right! This is a step forward towards the goal long striven for. Our federal government has taken the initiative in a veritable advance. This is no feint-manceuvre, for it at the same time puts into the hands of the officials the legal means to put themselves into the possession of Church property in spite of all the obstructions of our celebrated 'common law.' It is now the turn for our State officials to follow in the way already marked out! Trinity Church, with its hundred and odd millions of dollars, must now be treated in the same wise. The State should likewise immediately take possession of its property and apply it to bringing up our future citizens. Is there any plausible reason for accumulating millions of productive capital into the 'dead hand' and letting it increase every year in geometrical proportion, merely for fattening eye-rolling hypocrites. The same thing is true of the hundreds of millions which have been wrung by the Catholics, Presbyterians and countless other religious sects from superstitious people. This capital works much more diligently and surely than it does in the hands of private persons, without, too, being in the least affected by the heavy burdens which rest upon the property of private individuals. Church monopolies are just as dangerous to the State as secular monopolies. Religious corporations are just as heartless and soulless as worldly corporations. Down with them all! Our Federal Government has opened up the way. Progress in that direction cannot be held back!"

The utterances of the organ of the German Socialists in this country, contain words of warning to the blind sectarians who have been plotting for the destruction of the "Mormon" Church. They indicate a possibility which has been pointed out in these columns. The anti-"Mormon" clerical quacks may be compelled to swallow their own medicine. Let the precedent be established that ecclesiastical property may be confiscated and diverted to other uses, and it can be followed in more directions than one. A rule intended specially for the "Mormons" may be worked in various unthought of directions. What is done to the "Mormon" to-day may rebound on the Methodist to-morrow. The Catholics may become an object of attack, and then what is to prevent the warfare from being opened upon Protestants?

This irreligious spirit, which is breathed in the article we have copied, is gaining ground in the United States. It permeates all classes. It will not be long before the sentiment uttered in the *Volkzeitung* will be boldly advocated by many thousands who now entertain them but are too politic to express them openly. The consequences may be easily foreseen. If Church funds can be taken for educational purposes in one case, they can be so perverted in any number of cases. And the secularization of ecclesiastical property once made lawful, might become the rule in every State of the Union.

The infamous legislation proposed by Senator Edmunds, which is nothing less than an attempt at legalized robbery, does not strike the minds of prejudiced people when the unpopular "Mormon" Church is the intended victim. The end, with many, will palliate if not justify the means. To crush that institution its enemies would countenance almost any enormity. But when the possibility of the application of similar treatment to the systems to which they belong becomes apparent, they may not be quite so willing to encourage a palpable wrong, even towards a hated religion which they would like to see destroyed.

We recommend all religious advocates of the Edmunds infamy to ponder upon the words of the *Volkzeitung*. They are not idle sound. They mean something. The great sects may think they are panoplied in power so strong that it cannot be broken down. But the evil they intend against us will yet, if per mitted to pass into law, come back to plague its authors and abettors. The confiscation of church property is a dangerous power to place in the hands of the State, even though its object be but the demolition of a small and obnoxious religious system. It does not belong to the civil authority. It is not one of the functions of the State. It is forbidden in the supreme law. But let it become engrafted upon our system of government, and who can tell where its ravages will end?

The proposition contained in the Edmunds bill is fraught with more danger to the churches of America than they at present can perceive. It

is a shadow of coming events that are a menace to the entire cause of religion. The Catholics begin to perceive its portent. They have commenced to protest against it. If the other denominations have any prescience they will cease their support of a measure which, while aimed at the "Mormon" Church alone, bears the seeds of trouble for every religious organization in the United States.

UNLAWFUL HOBBIES OF COURTS.

JUDGE BORDEN, of Massachusetts, has sprung the question whether an applicant for citizenship can be considered "of good moral character," who has been convicted of maintaining "a liquor nuisance." The naturalization laws provide that it shall be made to appear to the satisfaction of the court, among other things, that the applicant "has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same."

Whether a man who has sold liquor in violation of law has behaved as a man of good moral character and well disposed to good order, is a question that might be differently decided by different courts. A Judge who is rigid on the temperance question might rule that no man can traffic in liquor and be a good moral character, particularly if he had rendered himself liable to the law in so doing, while another Judge, who takes his toddy or his "bitters" regularly, might think there was nothing immoral in the business, and that a technical infraction of stringent liquor laws was no disqualification for citizenship.

But this singling out of some special offense as a bar to naturalization is wrong because it is invidious. It is riding a hobby horse, and makes the rider ridiculous. The term, "a good moral character" embraces a great deal. It covers the general life and character of the candidate. A chronic liar is far worse than a liquor-dealer, however one may view the traffic in intoxicants. A libertine is not a man of a good moral character; but who knows of a Judge questioning an applicant as to his illicit amours or his frequenting the haunts of sin? An habitual drunkard is not to be classed with a temperate man in qualifications for citizenship; but what court ever inquires into the drinking habits of a candidate?

In Utah the hobby of the courts on naturalization grounds is polygamy. And the queries of the catechizing judges are not confined to the doings of the past. They reach forward into the unknown and illimitable future. There is no provision for this in the law. The judge is to be satisfied that the applicant has behaved in a certain way while he has resided in the United States. It gives him no authority to catechize the applicant as to the future. It says nothing about intentions. It requires no promises of the applicant except that which is covered by the oath, and that is, simply, "that he will support the Constitution of the United States." All the points on which the court must be satisfied relate to the past. If he "has behaved as a man of a good moral character," etc., that is all that is required, except proof of residence and the oath of renunciation and allegiance.

There are two things in which the Federal courts in Utah are wrong on the naturalization question. In the first place they improperly confine their interrogations as to past morality to one qualification, and neglect others of greater importance. A man who acknowledges to having two wives at the same time is summarily rejected, though he may be honest, truthful, industrious, thrifty, a reliable citizen, intelligent, progressive, respected by his neighbors and true to his family. But one who has broken every commandment in the decalogue, a lazy, shiftless, worthless scamp, if he can pass muster as a bachelor or a monogamist can be admitted to citizenship without a murmur. He may be an adulterer, a seducer, an inebriate, a swindler, a liar, a profane and consorter with the vilest of either sex, a wife-beater, of no particular value to the commonwealth, indeed a dead weight upon society, but so long as he has not taken to himself more wives than one he is all right for naturalization if he can scrape up the fees.

If this is not wrong in principle and detrimental in practice we fail to see otherwise. And we can find no warrant in the naturalization laws for such discrimination. If any judge thinks a creature of the latter class preferable as a citizen to a man of the former, we pity him, and think his estimate of "a good moral character" is no evidence of that judgment and appreciation which should distinguish the judicial mind.

In the second place, they are wrong in demanding agreements as to this special matter in the future. If it is essential that a man shall agree not to marry more than one wife, or live with more than one woman in the marriage relation in time to come, is it not also requisite that he should promise not to be a drunkard, a libertine, a thief, a violator of any law for the protection of society? Why single out the one law and demand a covenant for its observance, to the exclusion of others? It looks as though the judges who extort this promise care not how many murderers, seducers, adulterers, cat-stealers, drunkards, gamblers and

law-breakers generally may exercise the privilege of citizenship, so long as a man who may, probably in good faith and sincerity and with the agreement of all the parties, enter into solemn marriage covenant with more than one woman, is prevented from becoming a citizen of his adopted country.

As we have shown, there is no law for either of these wrongs. They are assumptions. They are in excess of law. They are regulations made and adopted by the Utah courts. They are in the nature of legislation. They are added to the law of Congress. If the courts consider they are not satisfied that an applicant who has practiced plural marriage is "a man of good moral character," they may of course single out that as a disqualification, because they have the power. But there is not a line of law which authorizes their catechism as to the future, and everything of that character which enters into the special proceedings in the naturalization of "Mormons," is usurpation and unlawful discrimination against a class. The law was meant to bear equally upon all, and no matter what may be the special object picked out for invidious action, it is contrary to the spirit and letter of the Act of Congress and is to be despised and condemned by fair-minded citizens of every class and degree.

ASSAILING MRS. LOZIER.

The Chicago Tribune essays to be very severe on Mrs. Lozier for her scathing letter to Senator Edmunds, in which she defied the cause of woman suffrage, and showed the error and inconsistency of seeking to take it away from the women voters of Utah. The Tribune says the suffrage is not "a God-given right," but was given to the women of Utah by Congress, and continues:

"Even if it were a 'God-given right,' it could be easily assumed that Divine wisdom would never sanction its use for the upholding of the lustful institution of polygamy. Mrs. Dr. Lozier, however, does not agree with Providence in this matter, and would prefer vice with the suffrage to virtue without it."

The Chicago censor should be careful that he is right before attempting to criticize others. Congress did not bestow the suffrage upon Utah women; it was given to them by the Legislative Assembly of the Territory of Utah, and Congress is now besought to take it away, after they have exercised the right for nearly sixteen years. Whether that right is God-given or man-given it is theirs, and law and justice forbid their being deprived of it in a summary manner.

We would like the Chicago luminary to show wherein the women of Utah have used the ballot for the upbuilding of the institution of polygamy. Editors who tackle this question should learn the facts before they commence to make comments. The polygamy question has never figured in Utah elections, and therefore neither men nor women voters were ever required to use the suffrage for or against it. The women have voted, like the men, for such candidates as their party have nominated in regular conventions, and polygamy has cut no figure on the tickets. The statement of the Tribune is but a miserable way of dodging the true issue and bringing in a question that has no connection with it, so as to prejudice the uninformed.

Its slur on Mrs. Lozier in its closing sentence is simply disgraceful. It is not a dispute on the ground of "vice" or "virtue" but of vested rights. We have no doubt that Mrs. Lozier is just as much opposed to vice as any editor in the virtuous(?) city of Chicago. And we know that the women of Utah are not to be excelled in any part of the world for every virtue that adorns their sex. There are no more noble, pure, chaste, self-sacrificing and estimable ladies in any circle of society in Christendom, than these same "Mormon" wives, mothers and daughters whose vested rights are now assailed, and for which Mrs. Lozier and a few other non-"Mormon" heroines have the moral courage to battle, against the prejudices of the uninformed and the falsehoods of the vile and vicious.

The Chicago Tribune may call her vigorous reply to the Vermont Senator "a cranky letter," but the proof that it would puzzle its editor to meet the striking arguments it contains, lies in the fact that all he could do was to misrepresent the letter and abuse the writer. In this he not only insulted a lady, but showed his own ignorance, bad manners, bad logic and a bad cause.

THE STRENGTH OF THE SAINTS, THE FAILURE OF THEIR FOES.

The Presidency of the Church, in the comprehensive Epistle recently issued, point out the fact that no man-made system could have successfully withstood the combined and determined warfare that has been waged against this Church, and that the strength of this system is the promise and its fulfillment of the testimony of its truth to every honest and obedient soul engaged in it.

The failure of all the varied assaults upon "Mormonism," as it is called by the world, must strike reflecting minds

as something very remarkable. Trace the history of this work back to its earthly beginning, and it will be found a repetition or succession of wonderful manifestations of strength and endurance. It has been warred against from its birth by forces that naturally seemed so powerful that they could not be resisted. The talent of the age and the wealth of the world were arrayed against the unlearned and moneyless men engaged in its establishment. Tradition, prejudice, authority, custom and settled theory were all against their doctrine. Ridicule, misrepresentation and vile abuse were freely used to oppose them. Mob violence, military force, imprisonment and confiscation were tried for their destruction. Wholesale expatriation and the destruction of their homes and property followed, with the martyrdom of their Prophet and Patriarch, after burnings, pillage, the violation of women and the murdering of old men and little children.

The armies of the nation were sent for their annihilation, when this much-tried people had colonized the barren wastes of the Rocky Mountain region. Hostile legislation was the next step, and now all the machinery of the Courts is applied for their oppression, and sectarian preachers, schools and missionary influence and cash, mingled with the power of legal penalties and disabilities, are brought to bear in a still more determined effort to break down the system and divide and subjugate its supporters. Disfranchisement, imprisonment, expatriation, injustice, oppression and usurpation are the latest weapons.

But all has been in vain. Consolidation is produced instead of division, devotion instead of fear, faith in place of doubt, confidence in the place of hesitation, "Mormonism" goes forward and not backward. There is no dismay in its ranks, no surrender or compromise in its champions. It maintains its integrity and is a living, active, impregnable power, that is aided instead of impeded by the doings of its foes.

The absence of their leaders makes no impression of weakness upon the Latter-day Saints. This should teach a lesson to their enemies. Killing every prominent man would not stop the progress of the work in the least. It is not dependent upon man, and the people do not put their trust in flesh. They have bowed to principles, not to persons, they are guided by a Divine Spirit not by mere human wisdom or authority. This spirit is the common heritage. It is not vested in the heads of the Church as a special favor. It is diffused throughout the body. It is a present, potent, inspiring force. Every man and woman, every boy and girl who has been baptized with repentant faith, is entitled to its whisperings and gifts. It is promised to all who obey the truth. The promise is invariably fulfilled.

That promise and its fulfillment are the internal strength of the system. Its devotees know they were promised this heavenly gift as a personal testimony if they would render obedience, in faith to the Gospel. They obeyed; they received the blessing. It was a reality and not a myth. That gift the faithful have retained. By it they know that they have embraced the truth. It has brought them near to God. It has placed them in rapport with the heavens. They are the sons and daughters of God and have received the spirit of adoption. No doubt they distrusts them or hinders their progress. They know in whom they have believed. Courts cannot take away their knowledge. Prisons cannot affect their testimony. Disfranchisement cannot rob them of the heavenly gift. Confiscation cannot deprive them of the inward and eternal riches.

Let the world war on, let Satan rage and the wicked gnash their teeth. Demagogues may multiply laws, feed the victims, chains may bind the limbs of the faithful, death with its greatest terrors may stare them in the face. But it will be all in vain against the Church and Kingdom of the living God. It is established on earth to stay. It cannot be removed.

The lessons of the past ought to teach sane men as to the future. "Mormonism" cannot be put down, neither can its adherents be destroyed. The slaughter of few will but put new determination into the many, and others will come into their places with renewed energy that springs from unshrinking fortitude and unshaken faith. The spirit of God is burning like a fire in the hearts and bones of the Latter-day Saints, and is lighting up their souls and brains with an unfading lustre that manifests heavenly things. Therein is strength and comfort, and a testimony of the truth against which every human force will prove impotent. This is as sure as God lives and as certain as that the sun shines.

TWO WRONGS THAT SHOULD BE RIGHTED.

We would like to know whether the attorneys for the people who are marked out for persecution in the courts of this Territory, intend to take any steps towards arresting the improper and unprecedented course of the District Attorney, in two important particulars:

First, in regard to the enforced testimony of legal wives in cases against their lawful husbands. Ladies occupying that position are arrested by impudent and brutal deputies, forced be-

fore Commissioners and grand juries, and compelled to testify in regard to the most private affairs and relations of their husbands. We have no hesitation in saying that this is in violation of the statutory as well as the common law, and of principles of jurisprudence that have governed civilized communities for centuries.

We are aware of the ruling of Judge Zaue on this matter in a certain case. But the question is one of such importance that it ought to be thoroughly tested. It was a hasty investigation that resulted in the decision requiring the legal wife to testify, the court as usual acting as the Attorney pulled the string. A careful examination of the Utah statutes, taking one with another, giving each existing provision bearing on the subject its due weight, establishes clearly the conviction that a legal wife cannot be permitted, much less compelled to give evidence against her husband, except with the consent of both parties, or in a civil or criminal action by one against the other, or for a crime committed by one against the other involving criminal violence. The law of 1878, relating to this matter, is as valid as the law of 1884, because it is not repealed by the latter. The two must be viewed together. One explains the other. And when so received, they are in accord with established principles and with the rulings of the Supreme Court of the United States.

We would like to see this important point competently decided. We consider that mere snap judgment has been taken upon it. The bars have been in that way let down, and now the District Attorney browbeats legal wives with the same insolence and pertinacity with which he is wont to insult the plural wives who are unfortunate enough to fall victims to his legal assaults. Such proceedings are a disgrace to any court in this boasted land of freedom and equal rights.

The proposition to make lawful that which is now being done under pretense of law has been more fatal to the new Edmunds bill than anything else it contains. It raised a storm of opposition from all quarters and is regarded as infamous. If it is infamous as a legislative proposition, how much more infamous is it in practice without the passage of the measure to legalize it? If it were not used in the prosecution of "Mormons" in the class of cases now specially prosecuted in the Utah courts, it would cost the official head of every person engaged in the shameful business.

Second, in regard to compelling witnesses to give their opinions and ideas and guesses as to matters and cases under trial. The law only requires witnesses to testify of things which they know. Opinion, hearsay, imaginings, ideas, are not evidence. But when witnesses answer questions, often personal, impudent and uncalled for, with "I do not know," they are piled with queries as to what they think, what they suppose, and hearsay testimony is taken for evidence against defendants placed in jeopardy. We denounce this as unlawful and extra-judicial. No court that has any respect for law or decency would permit it. And no witness is under legal obligation to express opinions, repeat rumors, or state anything under oath but what the witness knows of his or her own knowledge.

This is so clearly right that it seems superfluous to state it. Yet witnesses are badgered, and threatened, and compelled to answer questions about their belief and opinion in regard to facts, when they have no knowledge in relation thereto. We view this also as an outrage perpetrated under legal pretense, a lawless exercise of might over right.

We hope to see some firm and undaunted legal wife stand up for her rights and the rights of her sex, in the courts that permit these outrages. Let us see how long a lawful wife can be imprisoned for refusing to testify against her husband! Let us see how long a witness who has lawfully answered a question by saying "I do not know," can be incarcerated for refusing to testify as to her opinion or idea concerning a fact of which she has no knowledge! It is quite probable that an attempt would be made to commit to the penitentiary both a lawful wife and another witness who declined to answer these unlawful questions. But they could not be kept there for any length of time. There are lawful means, thank God, of testing such questions, and of rousing the country and the Administration to the iniquities practiced upon the peaceable people of Utah under the name of law and the pretense of morality.

These two points ought to be tested without delay. Witnesses are being imposed upon and coerced almost every day. It is all wrong and, as we firmly believe, unlawful, and we think that witnesses should be properly instructed as to their rights, so that some one who has the courage of conviction, and the physical and moral stamina to endure the threats and dangers of imprisonment for a brief season, may stand firmly for those rights which are dear to every citizen and which it should be the aim of all just men and women to struggle for and maintain inviolate.

THE DEFUNCT GRAND JURY.

The grand jury for the February term is discharged. They wound up with a report, which appears elsewhere in this paper. The labors of that body