

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

PRINTED AND PUBLISHED BY THE
DESERET NEWS COMPANY.

CHARLES W. PENROSE, EDITOR.

WEDNESDAY - FEBRUARY 18, 1885.

WHO ARE GOING OUTSIDE THE CONSTITUTION?

TAKING up the entire question of the raid against the Latter-day Saints from an intelligent and impartial standpoint, the conclusion that the chief characteristics of their opponents, nationally and locally, are hypocrisy and inconsistency, is inevitable. While they endeavor to cover up their infamy by howling about the unlawfulness of the "Mormons," it is they who are tainted with the virus of disloyalty, are trampling upon republican institutions and showing an utter disregard for the supreme law of the land. While they are shrieking about the Saints not coming under the Constitution, they are, in their unreasonable and hate-inspired attempts to disrupt, destroy and prey upon a loyal people, tearing that sacred fundamental safeguard of the citizen to tatters, and in that are fulfilling the inspired prediction of Joseph Smith.

A glance through the Constitution, and a comparison of its clauses with the laws, practices and theories put forth to destroy the "Mormon" church, is all that is necessary to exhibit the force and truth of the proposition we have advanced.

In article I, sec. IX, is the following: "No bill of attainder or *ex post facto* law shall be passed."

In sec. X of the same article the States are forbidden to "Pass any bill of attainder, or *ex post facto* law, or law impairing the validity of contracts."

Article V of the amendments provides that no person

"Shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property without due process of law."

A bill of attainder is an act which prescribes punishment without a judicial trial. That is the character of the Edmunds law, which punishes certain citizens by deprivation of the right to hold office and of the elective franchise, which are property as much as goods and chattels, without legal process. In its application it is also made *ex post facto* by a retroactive process instituted by the Utah Commission, whose rulings under it have punished men who have not become polygamists since there was any law making it an offense. The United States District Attorney is also seeking not only to impair, but to destroy the validity of contracts, by pursuing men of the same class with the terrors of the law.

When a wife is required to testify against her husband it amounts to the same as a witness testifying against himself, the husband and wife being one under the law. Besides, there is an express statute which relieves the wife or husband from being a witness in a proceeding against either. In the face of the "supreme law of the land," the wife of Royal B. Young was put through a searching catechization by the prosecution in a criminal proceeding against him. The legal wives of persons put sued in the present raid are taken before the grand jury and persistently plied with questions in relation to the private affairs of their husbands, with a view to convicting them of criminal acts. In addition, one person—the Mr. Young aforesaid—charged with criminality was intimidated by the prosecuting attorney, with a threat that the door of his house would be broken in if certain witnesses were not forthcoming. The spirit and intent of this menace that violence would be resorted to, was to induce the accused to procure witnesses to his own detriment. In other words, to prosecute himself.

Article VI provides that "No religious test shall ever be required as a qualification to any office or public trust under the United States."

This has been flagrantly violated by all the late anti-"Mormon" laws, and their interpretation by the Utah Commission and others. Religious freedom is guaranteed by the Constitution, and whenever the ruling power prescribes what the religion of the people shall or shall not consist of, there is not only an abridgement of religious liberty, but its existence is endangered. That kind of freedom which consists of some person outside of the religionist himself, prescribing what shall be or shall not be the tenets of his faith and practice, is a burlesque, a delusion and a snare. The limit is that the religionist, in the exercise of the prerogative given him under the Constitution, does not infringe upon the rights of others. When he does, then it is time that he should be curtailed, abridgement being a necessity to secure the freedom of the whole. No such infringement of the

rights of others can be shown in connection with the religious institutions, marital or otherwise, of the Latter-day Saints, and when they are debarred from the free exercise of their religion, it is in the face of a constitutional guaranty.

Article VIII.—Excessive bail shall not be required.

The rabid anti-"Mormon" officials here have not only, in their pursuit of the victims of their hate, ignored this protective clause in the Constitution—they have done more than demanded "excessive bail"—they have denied bail altogether, pending the final adjudication of cases in which "Mormons" are the hapless objects of pursuit. No more flagrant judicial outrage could be perpetrated than that, the ulterior motive prompting it being too plain to be mistaken. It provides for the punishment of "Mormons," law or no law, and thus is the supreme law of the land set at defiance by the crusaders.

But it would take too much space to show how the Constitution has been overridden in efforts to destroy the "Mormon" religion and its adherents. If what has actually been done in that line were compiled in due form with attempts that have failed thus far, but which show the motives by which the hearts of men are moved, the result would be a library of no small proportions. At the rate at which the country has been traveling on the anti-Constitutional tramway there is no telling how soon some of these ultra attempts may bud and blossom into accomplished facts. Already, in a section of the country, (Idaho,) the Constitution has been thrown overboard from the ship of state, and the most despotic and ridiculous measures enacted since its abrogation in theory and practice.

In the Hoar amendments bill which passed the Senate, but has gone no further, nearly every one of the chief liberty-preserving clauses of the Constitution are ignored. Writings of attachment are substituted for the subpoena process, witnesses being thus deprived of liberty without any legal charge against them; the wife is compelled to testify against the husband, and therefore, in view of the legal unification of husband and wife, a man is compelled to testify against himself; citizens are deprived of property summarily without due legal process by trial; they are deprived of the privilege of bringing their relatives or friends from abroad to this country. But it is needless now to enumerate the outrageous nature of that proposed measure, a half-born legal abortion.

Attempts are made to give the most absurd twistings to clauses of the Constitution that are so plainly absurd as to be amusing, were not questions of great moment involved.

Take for instance that embodied in Sec. III of article IV:

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

The anti-"Mormon" and anti-liberty fanatics construe this to mean that Congress has a constitutional right to exercise any kind of dominion by making "needful rules and regulations" respecting the people of the Territories, etc. It simply means in relation to the land or other property, not the people, who, in this republic are sovereign and not the property of the United States. Popular sovereignty (or local self-government), was never intended by the genius of this Republic, to be confined to the States, but to be extended to the people, so far as practicable, no matter where they might dwell.

The Constitution authorizes the guaranty of "A republican form of government" to the people; yet based on the despotic pretext of the Territories being the creatures of Congress, the anti-"Mormons" demand the withdrawal from Utah of every vestige of that form of rule and the placing of the citizens under the absolutism of a legislative commission.

While the anti-"Mormon" crusaders are pretending to demand that the "Mormons" shall "come within the constitution and the laws of this great government," they are the parties who are overriding the Constitution and breaking the laws. In the meantime the "Mormons" are showing an example of peaceableness and a law-abiding disposition, so far as the "Constitution and the laws made in pursuance thereof" are concerned, that would be conducive to good order for their detractors and persecutors to emulate.

ON THE EDGE OF A CALAMITOUS EPOCH.

In the early part of November, 1883, a National Anti-"Mormon" League was organized in Cleveland, Ohio. Its object was sinister and treacherous. Some idea of its purpose will be obtained from the following, which was published in the Cleveland Leader at the time; and we consider the present an appropriate occasion for its reproduction:

"Another meeting of those interested in the movement to establish a society for the suppression of polygamy was held last evening at the rooms of the organization in Superior Street. The Committee on Constitution submitted a report, which embodied a list

of laws for the government of the organization. They recommended that the society be called 'The National League for the suppression of Polygamy.' The recommendation was heartily approved and the name unanimously adopted.

The rules reported by the committee were in substance as follows:

That the League be composed of twenty members, who shall have absolute control of the policy and work of the organization; that a fund of \$25,000 be guaranteed for the purpose of forming leagues in all the cities and large towns of the State; that the proceedings of the League be secret, except such parts as will be beneficial and a source of enlightenment to the public; that a "Reserve Legion" be formed, to consist of citizens of all religions and nationalities, irrespective of political beliefs, to assist in carrying out the purposes of the League when the proper time shall have presented itself; that the members of the Legion shall be honorary members of the League, but shall not be permitted to participate in the proceedings of the League, nor asked to subscribe money for any cause whatsoever.

That leagues be established in every city and town in the State, and that practical endeavors be made to obliterate polygamy, and to prevent Mormon elders from traveling about the country for the purpose of spreading the doctrine of their debasing creed.

The election of officers preceded the adoption of the constitution. The offices created were as follows: President, Vice-President, Secretary, Disbursing Treasurer, Receiving Treasurer, Auditor, Sentinel and Executive Committee. All the officials are well known citizens. Letters were read from gentlemen in Cincinnati, Columbus, Toledo, Dayton and Sandusky, expressing pleasure in the step taken, and pledging the assistance of the writers.

It was decided to have some arrangements made by which the public could communicate with the league, as valuable suggestions would undoubtedly be secured thereby. While the members of the organization at present deem it best to withhold their names from the press for obvious reasons, a number of them are known to the Leader. The President is a gentleman of large experience, and is prominent in professional circles. The other officers are equally well known, some of them being leading business men. The nature of their work makes it necessarily secret to a certain extent, and for the time being they propose to work quietly but diligently."

We stated then that it was a remarkable coincidence that the secret association for the suppression of "Mormonism" should have its origin in Ohio. It was in Kirtland of that State where the Prophet Joseph Smith received a revelation pointing to that subject. The date upon which it was obtained was February 9th, 1831. The bulk of it is devoted to the duties of the Elders, especially in relation to carrying the Gospel message to the world. It contains this prophetic passage:

"And behold, it shall come to pass that my servants shall be sent forth to the east and to the west, to the north and to the south; and even now, let him that goeth to the east teach them that shall be converted to flee to the west, and this in consequence of that which is coming on the earth, and of secret combinations."

As the time draws closer to a mighty upheaval in the nation, that will shake it from centre to circumference, we deem the threatening character of the times warrants us in once more lifting a warning voice to the people to prepare against the approaching reign of terror, for calamity will soon sweep the country like an irresistible whirlwind.

The Prophet Moroni, as will be seen on page 588 of the Book of "Mormon," clearly foresaw the situation of the nation and the world at large regarding the secret societies which have multiplied so abundantly of late. Speaking prophetically, his words being directed specially to the people whom he knew would be living contemporaneously with the bringing forth of the record of his people, he said:

22. And whatsoever nation shall uphold such secret combinations, to get power and gain, until they shall spread over the nation, behold, they shall be destroyed, for the Lord will not suffer that the blood of his Saints, which shall be shed by them, shall always cry unto Him from the ground for vengeance upon them, and yet He avenge them not;

23. Wherefore, O ye Gentiles, it is wisdom in God that these things should be shewn unto you, that thereby ye may repent of your sins, and suffer not that these murderous combinations shall get above you, which are built up to get power and gain, and the work, yea, even the work of destruction come upon you, yea, even the sword of the justice of the eternal God shall fall upon you, to your overthrow and destruction, if ye shall suffer these things to be;

24. Wherefore the Lord commandeth you, when ye shall see these things come among you, that ye shall awake to a sense of your awful situation, because of this secret combination which shall be among you, or wo be unto it, because of the blood of them who have been slain; for they cry from the dust for vengeance upon it, and also upon those who build it up.

25. For it cometh to pass that whoso buildeth it up, seeketh to overthrow the freedom of all lands, nations and

countries; and it bringeth to pass the destruction of all people, for it is built up by the devil, who is the father of all lies; even that same liar who beguiled our first parents; yea, even that same liar who hath caused man to commit murder from the beginning; who hath hardened the hearts of men, that they have murdered the prophets, and stoned them, and cast them out from the beginning.

26. Wherefore, I, Moroni, am commanded to write these things, that evil may be done away, and that the time may come that satan may have no power upon the hearts of the children of men, but that they may be persuaded to do good continually, that they may come unto the fountain of all righteousness and be saved.

This is a clear prophetic picture of the present times. The character of these secret organizations is plainly portrayed by the simple word "murderous;" their objects, "To get power and gain;" their effects on social order the "overthrow" of the "freedom of all lands, nations and countries," and the result, "The destruction of all people." The blood of many innocent persons, including that of some of the Saints, already cries from the ground for vengeance upon the perpetrators of the great iniquity, and the appeal will not always reach the ears of the Lord in vain.

A commission of scientists was recently appointed by some kind of an organization to ascertain by diligent inquiry whether the Book of Mormon is an authentic and inspired record. The fact of its inspiration is being attested constantly by the fulfillment of its prophetic statements, and this sustaining evidence will multiply as time rolls on.

There is now a distinctive division among the people, the lines of which are gradually becoming more and more marked. It consists of the class which favors order, organization and government while pitted against it on the other side is the class whose aim is the destruction of society. The wicked will also make attempts to destroy the people, of God in which aim they will never be successful, no matter how black the lowering clouds hanging over the Saints may at times appear. Deliverance will come in the due time of the Lord, and the enemies of the people of Zion need not lay the flattering unction to their souls that the crushing process they bring to bear upon them will be completely or ultimately successful. As the Lord lives He will not suffer His Saints to be permanently enslaved or trodden under foot, for all His promises will be fulfilled.

The prophet Nephi, speaking of the Latter-day work, said, as related in the second book of that prophet, 30th chapter:

"For the time speedily cometh that the Lord God shall cause a great division among the people; and the wicked will He destroy: and He will spare His people: yea, even if it be so that He must destroy the wicked by fire."

Speaking upon the subject of secret combinations at the time the Ohio organization of darkness was formed, the News said: "Such movements necessarily resort to the most extreme measures. Step by step they are led by the power of the Prince of Darkness until the hearts of those associated with them are overflowing with the gall of bitterness and the spirit of murder. Let the nation beware. It should take warning at once and suppress organizations instituted for illegal, cold-blooded and barbarous purposes. If they are suffered to spread over the land, the sword of the justice of the Almighty will descend upon the nation and cries of woe shall ascend from one end of land to the other, for the voice of Omnipotence hath spoken it."

We can only reiterate the note of warning then sounded, for more or less rapidly developing events are sustaining the solemn advice. One of the advance signals of the threatened danger comes from the very city in which the secret society for the suppression of "Mormonism" was formulated a year ago last November. It comes in the shape of intelligence of the existence of five companies of Anarchists in that city, ready for a riot, and accompanied by a threat that, "Unless times improve the greatest revolution the world has ever seen will be inaugurated." The news from Pittsburgh and Chicago is not any more reassuring. And once an outbreak occurs, the spirit of destruction will be infectious, sweeping from city to city, like the hot breath of a simoon carrying devastation and death in its pathway. The prospect of more prosperous times is anything but bright, and the outlook for the safety of the commonwealth is therefore correspondingly impregnated with gloom.

We have treated the subject thus far from the standpoint of revelation, combined with the threatening aspect of affairs in this and other nations, but even aside from what we claim has been predicted concerning the day of coming calamity by Divine inspiration, let intelligent thinkers view the situation naturally. Let them contemplate the serious condition of affairs, and see if they can form any other opinion than that the conflicting elements of society are rapidly ripening for revolution.

America is quickly becoming the hotbed of dynamism, and when the world was startled by the latest deeds of diabolism in London in that line, the leading journals all at once began to discuss the probabilities of the infernalism breaking out in overt acts of violence within the borders of this country. The general sentiment was that such an event was far from improbable, and this likelihood is gaining ground by the actual developments

that are occurring, in the shape of threatening organizations, whose object is to disorganize by that species of barbarism that is intensified by the introduction of the facilities of civilization as implements of demolition.

The evil day is not distant, and while the righteous will barely escape, the wicked shall be destroyed.

To the Saints we say, study the signs of the times, be prudent and wise, and whatever may occur, let your faith be unshaken, no matter how appearances may seem to the contrary, the Lord lives; this is His work, and although some may suffer, for a wise purpose, as a whole His people will be preserved. Among other things they should be careful of their substance, that come what may, they may be preserved from want, and have something besides with which to clothe the naked and feed the hungry, for it will yet be among their privileges to succor the distressed stranger who shall yet flock to their midst.

We invite all classes of people to watch the development of events from this time forward, and judge from intelligent observation whether or not we are correct in the position we have assumed.

CONSIDERABLY MIXED.

In its issue of last Sunday the Salt Lake Tribune contained an article under flaming headlines, which had this introductory passage:

"Since Mr. A. M. Cannon was held by Commissioner McKay to answer to any indictment which the grand jury might present against him for unlawful cohabitation, it seems another series of facts were learned which would tend to show that he had also recently married the bewitching Dr. Mattie P. Hughes."

Then followed a relation of alleged facts purporting to show that Mr. Cannon and Miss Hughes had, several months ago accompanied Mr. Cannon on a trip to Utah and Wasatch Counties, and that being overtaken by night on the journey, stayed at the house of an aged Welsh couple in Provo valley where the lodging accommodations for travelers were scanty. The details given are shamefully and outrageously indecent, and could only have been published by a person who apparently exemplifies the theory that total depravity is correct in at least some instances.

However, our vulgar cotemporary makes occasional apologies, but that line is distasteful to it, and when it opens a part of its columns for the purpose it leaves the mark of its split foot in it. As a proof of its manner of making the *amende honorable*, we present the piece of soiled mosquito muslin with which it seeks to hide its putridity. Its issue of yesterday had this:

"In the local of Sunday's Tribune a street rumor regarding Angus Cannon and Miss Hughes was published. It came to this office from the lips of men who are known to be truthful men, and it was common town talk. It was published in the full belief that the pair were married, and, being married, that there was no impropriety in stating what came to us as a perfectly authenticated fact. But, in the judgment of United States District Attorney Dickson, we did a wrong. He has, of course, attended upon the grand jury, and while giving away none of its secrets, he assures us that there has been no possible evidence to show that there was the slightest truth in the vital portion of the statement. A reporter of the Tribune saw Miss Hughes yesterday. She said cheerily she did pass a night in that cabin on her way to visit, professionally and as a relative, a sick sister; that it was either a case of remaining there or remaining in the wilderness, for they had lost their way; that there was but one bed in the house, which the old lady occupied, and, being ill, her husband was up all night; that, for herself, she did not retire at all, for the palpable reason that there was no place to retire to. There was just enough truth in the story to make it all seem plausible, and it was one of those mistakes which the most careful newspaper supervision cannot always avoid."

Is not that concentrated stupidity? The story was conveyed to the office of the Tribune "from the lips of men who are known to be truthful men;" yet they were such consummate falsifiers that "There was just enough truth to make it all seem plausible."

"In the judgment of District Attorney Dickson we did wrong." Why? Was it because the Tribune had been showing a familiarity with what goes on in the grand jury room that is not quite the thing? Why this rising to explain that District Attorney Dickson, who took the Tribune editor's nose between his finger and thumb, did not "give away the secrets of the grand jury," while at the same time stating that he did that very thing by telling the nature of the evidence before that body? "He assures us that there has been no evidence to show that there was the slightest truth in the vital portion of the statement." If that is not tantamount to stating that the matter treated upon had been before the grand jury, and a definition of the character of the evidence given, we do not know how much plain or any clear-headed person would wish it stated to make it comprehensible. It says plainly that there was evidence sustaining those parts of the statement that were not vital.