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HISTORY OF JOSEPH SMITH.

JANUARY, 1844.

Monday, 1.—A cold, blustering rain storm ushered in the New Year.

At sunrise, Thomas Miller, James Leach, James Bridges and John Frodsham were brought before me by the police, charged with disorderly conduct. Fined Miller, \$5.00; the others were discharged.

A large party took a new year's supper at my house, and had music and dancing till morning. I was in my private room with my family, Elder John Taylor and other friends.

Tuesday, 2.—Two p.m., Hiram Dayton was brought before mayor's court for disorderly conduct, in resisting and abusing the police; fined \$25 and costs. His son, Lysander Dayton, for the same offence, was sentenced to 10 day's hard labor, and subsequently for contempt of court, 10 days more, on the public streets.

Snow one inch deep.

I here insert Mr. Calhoun's answer to my letter of inquiry, dated Nov. 4, 1843:—

"Fort Hill, 2nd Dec., 1843.

Sir:—You ask me what would be my rule of action relative to the Mormons or Latter Day Saints, should I be elected President; to which I answer, that if I should be elected, I would strive to administer the government according to the Constitution and the laws of the Union; and that as they make no distinction between citizens of different religious creeds, I should make none. As far as it depends on the executive department, all should have the full benefit of both, and none should be exempt from their operation.

But, as you refer to the case of Missouri, candor compels me to repeat what I said to you at Washington, that according to my views the case does not come within the jurisdiction of the federal government, which is one of limited and specific powers.

With respect, I am, &c., &c.,

Mr. Joseph Smith. J. C. CALHOUN.

To which I wrote the following reply:—

"Nauvoo, Illinois, Jan. 2, 1844.

Sir:—Your reply to my letter of last November, concerning your rule of action towards the Latter Day Saints if elected President, is at hand; and that you and your friends of the same opinion, relative to the matter in question, may not be disappointed as to me, or my mind, upon so grave a subject, permit me, as a law abiding man, as a well wisher to the perpetuity of constitutional rights and liberty, and as a friend to the free worship of Almighty God by all, according to the dictates of every person's conscience, to say I am surprised that a man, or men, in the highest stations of public life, should have made up such a fragile 'view' of a case, than which there is not one on the face of the globe fraught with so much consequence to the happiness of men in this world, or the world to come.

To be sure, the first paragraph of your letter appears very complacent and fair on a white sheet of paper, and who that is ambitious for greatness and power would not have said the same thing? Your oath would bind you to support the Constitution and laws; and as all creeds and religions are alike tolerated, they must, of course, all be justified or condemned, according to merit or demerit; but why, tell me why, are all the principal men, held up for public stations, so cautiously careful, not to publish to the world, that they will judge a righteous judgment, law or no law: for laws and opinions, like the vanes of steeples, change with the wind.

One Congress passes a law, and another repeals it, and one statesman says that the Constitution means this, and another that: and who does not know that all may be wrong? The opinion and pledge, therefore, in the first paragraph of your reply to my question, like the forced steam from the engine of a steam boat, makes the show of a bright cloud at first, but when it comes in contact with a purer atmosphere, dissolves to common air again.

Your second paragraph leaves you naked before yourself, like a likeness in a mirror, when you say that 'according to your view, the federal government is one of limited and specific powers,' and has no jurisdiction in the case of the Mormons. So then, a State can at any time, expel any portion of her citizens with impunity, and in the language of Mr. Van Buren, frosted over with your gracious 'views of the case,' though the cause is ever so just, government can do nothing for them, because it has no power.

Go on, then, Missouri, after another set of inhabitants, (as the Latter Day Saints did) have entered some two or three hundred thousand dollars worth of land, and made extensive improvements thereon: go on, then, I say banish the occupants or owners, or kill them, as the mobbers did many of the Latter Day Saints, and take their lands and property as a spoil: and let the legislature, as in the case of the Mormons, appropriate a couple of hundred thousand dollars to pay the mob for doing the job; for the renowned senator from South Carolina, Mr. J. C. Calhoun, says the powers of the federal government are so specific and limited that it has no jurisdiction of the case! Oh, ye people who groan under the oppression of tyrants, ye exiled Poles, who have felt the iron hand of Russian grasp; ye poor and unfortunate among all nations, come to the 'asylum of the oppressed;' buy ye lands of the general government, pay in your money to the treasury to strengthen the army and the navy; worship God according to the dictates of your own consciences; pay in your taxes to support the great heads of a glorious nation; but remember a 'sovereign State' is so much more powerful than the United States, the parent government, that it can exile you at pleasure, mob you with impunity; confiscate your lands and property; have the legislature sanction it; yea, even murder you, as an edict of an emperor, and it does no wrong, for the noble senator of South Carolina, says the power of the federal government, is so limited and specific that it has no jurisdiction of the case! What think ye of imperialism in imperio?

Ye spirits of the blessed of all ages, hark! Ye shades of departed statesmen, listen! Abraham, Moses, Homer, Socrates, Solon, Solomon, and all that ever thought of right and wrong, look down from your exaltations, if you have any, for it is said in the midst of counselors there is safety, and when you have learned that fifteen thousand innocent citizens, after having purchased their lands of the United States, and paid for them, were expelled from a 'sovereign State' by order of the governor, at the point of the bayonet; their arms taken from them by the same authority; and their right of migration into said State, denied under pain of imprisonment, whipping, robbing, mobbing, and even death, and no justice or recompense allowed; and from the legislature, with the Governor at the head, down to the justice of the peace, with a bottle of whiskey in one hand, and a bowie knife in the other, hear them all declare that there is no justice for a Mormon in that State, and judge ye a righteous judgment, and tell me when the virtue of the States was stolen; where the honor of the general government lies hid; and what clo'hes a senator with wisdom? Oh, nullifying Carolina! oh, little tempestuous Rhode Island! would it not be well for the great men of the nation to read the fable of the partial judge, and when part of the free citizens of a State had been expelled contrary to the constitution, mobbed, robbed, plundered and many murdered, instead of searching into the course taken with Joanna Southcott, Ann Lee, the French prophets, the Quakers of New England, and rebellious niggers in the slave States, to hear both sides and then judge, rather than have the mortification to say, 'Oh, it is my bull that has killed your ox, that alters the case! I must enquire into it, and if, and if?'

If the general government has no power to reinstate expelled citizens to their rights, there is a monstrous hypocrite fed and fostered from the hard earnings of the people! A real 'bull beggar' upheld by sycophants; and although you may wink to the priests to stigmatise; wheedle the drunkards to swear, and raise the hue and cry of imposter, false prophet, God damn old Joe Smith; yet remember, if the Latter Day Saints are not restored to all their rights, and paid for all their losses, according to the known rules of justice and judgment, reciprocity and common honesty among men, that God will come out of his hiding place and vex this nation with a sore vexation, yea, the consuming wrath of an offended God shall smoke through the nation, with as much distress and woe, as independence has blazed through with pleasure and delight. Where is the strength of government? Where is the patriotism of a Washington, a Warren, and Adams? and where is a spark from the watch fire of '76, by which one candle might be lit, that would glimmer upon the confines of democracy? Well may it be said that one man is not a state, nor one state the nation.

In the days of General Jackson, when France refused the first instalment for spoliation, there was power, force, and honor enough to resent injustice and insult, and the money came; and shall Missouri, filled with negro drivers and white men stealers, go 'unwhipped of justice?' for ten fold greater sins than France? Not verily no! While I have powers of body and mind: while water runs and grass grows; while virtue is lovely, and vice hateful; and while a stone points out a sacred spot where a fragment of American liberty once was; I or my posterity will plead the cause of injured innocence, until Missouri makes atonement for all her sins—or sinks disgraced, degraded and damned to hell, where the worm dieth not, and the fire is not quenched.

Why, sir, the power not delegated to the United States, and the States, belongs to the people, and Congress sent to do the people's

business, have all power—and shall fifteen thousand citizens groan in exile? Oh, vain men, will ye not, if ye do not restore them to their rights and \$2,000,000 worth of property, re-inquire to them, (the Latter Day Saints) as a body, their portion of power that belongs to them according to the Constitution? Power has its convenience, as well as inconvenience. 'The world was not made for Caesar alone, but Titus too.'

I will give you a parable. A certain lord had a vineyard in a goodly land, which men labored in at their pleasure; a few meek men also went and purchased with money from some of these chief men that labored at pleasure, a portion of land in the vineyard, at a very remote part of it, and began to improve it, and to eat and drink the fruit thereof; when some vile persons who regarded not man, neither feared the lord of the vineyard, rose up suddenly and robbed these meek men, and drove them from their possessions, killing many.

This barbarous act made no small stir among the men in the vineyard, and all that portion who were attached to that part of the vineyard where the men were robbed, rose up in grand council, with their chief man, who had first ordered the deed to be done, and made a covenant not to pay for the cruel deed, but to keep the spoil, and never let those meek men set their feet on that soil again, neither recompense them for it.

Now, these meek men, in their distress, wisely sought redress of those wicked men in every possible manner, and got none. They then supplicated the chief men, who held the vineyard at pleasure, and who had the power to sell and defend it, for redress and redemption, and those men loving the fame and favor of the multitude more than the glory of the lord of the vineyard, answered, 'Your cause is just, but we can do nothing for you, because we have no power.'

Now, when the Lord of the vineyard saw that virtue and innocence was not regarded, and his vineyard occupied by wicked men, he sent men and took the possession of it to himself, and destroyed these unfaithful servants; and appointed them their portion among hypocrites.

And let me say, that all men who say that Congress has no power to restore and defend the rights of her citizens, have not the love of the truth abiding in them. Congress has power to protect the nation against foreign invasion and internal broil, and whenever that body passes an act to maintain right with any power, or to restore right to any portion of her citizens, it is the SUPREME LAW OF THE LAND, and should a State refuse submission, that State is guilty of insurrection or rebellion, and the President has as much power to repel it as Washington had to march against the 'whiskey boys of Pittsburg,' or General Jackson had to send an armed force to suppress the rebellion of South Carolina!

To close, I would admonish you, before you let your 'candor compel' you again to write upon a subject, great as the salvation of man, consequential as the life of the Savior, broad as the principles of eternal truth, and valuable as the jewels of eternity, to read in the 8th section and 1st article of the Constitution of the United States, the first, fourteenth, and seventeenth, 'specific' and not very 'limited powers' of the federal government, what can be done to protect the lives, property and rights of a virtuous people, when the administrators of the law, and law makers, are unbought by bribes, uncorrupted by patronage, untempted by gold, unawed by fear, and uncontaminated by tawdry alliances—even like Caesar's wife, not only unspotted, but unsuspected! and God, who cooled the heat of a Nebuchadnezzar's furnace, or shut the mouths of lions for the honor of a Daniel, will raise your mind above the narrow notion, that the general government has no power—to the sublime idea that Congress, with the President as executor, is as almighty in its sphere as Jehovah is in his.

With great respect, I have the honor to be,

Your obedient servant,

JOSEPH SMITH.

Hon. ('Mr.') J. C. Calhoun,

Fort Hill, S. C."

Jonathan Pugmire, sen., and Thomas Cartwright discharged by Judge Whitehead, at Chester, England. The judge would not allow the costs of prosecution, or witnesses to be paid by the crown. It was very evident that the Church of England ministers were at the bottom of the machinations, and were sorely discomfited at the result. I insert the statement of the unfortunate occurrence given by Jonathan Pugmire, junior:—

"Thomas Cartwright was baptized November 6, 1843, unknown to his wife, by Elder Jonathan Pugmire, sen.; but she had mistrusted he had gone to the water, and went to Pugmire's house the same evening, and inquired where Tom was? (meaning her husband.) Mrs. Pugmire answered she did not know.

After this Mrs. Cartwright went out and met them returning from the waters of baptism, and shouted, 'Damn you, I'll dip ye,' and expressing her determination to have revenge upon Pugmire's family, she used a great deal of very bad language.

Some of the neighbors (not belonging to the church) advised her not to speak so much against the Latter Day Saints, as she might yet become convinced of the truth of their doctrines, and be baptized herself. She replied,

'I hope to God, if ever I am such a damn fool, that I'll be drowned in the attempt.'

A short time afterwards, in consequence of her husband talking to her about the truths of the gospel, she consented to go to Pugmire's house and hear for herself.

After attending a few times she told her husband she had a dream, in which she saw it was a fearful thing to fall into the hands of the living God, and requested to be baptized.

Mrs. Pugmire talked with her, reminding her of her harsh expression, she confessed all, and said, 'I am very sorry, and as my conduct is known to all this neighborhood, I do not wish to have my baptism public, but to have it done privately; and I wish no female to accompany me to the water but you.'

On the night of her baptism (Nov. 23, 1843) she was conducted to the water by her husband and Elder Pugmire, witnessed by Mrs. Pugmire and James Moor. Previous to this time Elder Pugmire had baptized eight or ten persons in the same place.

On arriving at the water they found the creek had overflowed its banks, in consequence of a heavy rain which had fallen that day. Elder Pugmire examined its banks, and concluded he could attend to the ordinance without going into the regular bed of the creek.

This was done; but on raising Mrs. Cartwright, and as they were walking out, they both went under the water.

It was afterwards discovered, that the water had undermined the bank, and it gave way under their feet; meantime Thomas Cartwright leapt into the creek and seized hold of his wife's petticoat, but the water carried her off, and left the garment in his hand.

James Moor got hold of Elder Pugmire by the hair of his head; Mrs. Pugmire holding Moor's hand, and thus they dragged him out.

Moor then ran to the village to give the alarm; on his return, he found Cartwright about one hundred yards from where he leapt in, with his head above water, holding on to the stump of a tree; he said he could not have remained in that situation one minute longer.

George Knowlen swam the stream and got him out, but his wife was not found until the day following, when she was found about two hundred yards from where the accident occurred, standing upon her feet, with her head above water, the stream having fallen about two feet.

On Pugmire reaching home, a Church of England minister had him arrested and dragged from his family the same evening, and kept in custody of a constable until a coroner's inquest was held on the body of the deceased.

After she was buried, Cartwright was arrested, and both were sent to Chester jail to wait their trial before the judge of assize. They were in confinement six weeks and three days before their trial came on.

The Judge (Whitehead) remarked to the jury that baptism was an ordinance of our religion, and that it was a mere accident which had occurred; he advised the jurymen to be very careful how they examined the case before them, that it was an ordinance instituted by God, (at that moment the Lord spoke by the voice of thunder, which shook the court house,) and advised the prisoners to be very careful in the future to select a proper place for the performance of that rite. They were then set free.

During their imprisonment Pugmire had a vision, in which he was informed that they would be liberated, and he told Cartwright to be of good cheer, for they certainly would be acquitted."

Wednesday, 3.—At home.

At noon met with the city council. The following is a copy of the minutes:—

"SPECIAL CITY COUNCIL.

Jan. 3rd, 1844, 12 o'clock.

Names of members called; all present.

The Mayor directed the marshal to notify William Law and John Snider that the council was in session, and informed the council that William Law had said to his brother Hyrum that the police had been sworn by him secretly, to put Law out of the way. 'I have had no private conversation with any of the police, but the high policeman, Jonathan Dunham, and that was to request him to have especial care of my personal safety, as I apprehended attempts to kidnap me by the Missourians.' He called on the policemen to say, if they had received any private oath from him, when they all said No!

Councilor Hyrum Smith said that William Law told him the police had sworn him (Law) to keep the secret, which was that he was to be put out of the way in three months.

The Mayor said he wished policemen to understand forever, that all he wanted was, that they should execute the ordinances of the city, and his orders, according to law.

Several of the police called for the individual to be named who had made the statement to William Law.

The Mayor said he thought proper that William Law should come and make his statement to the council on oath.

The Mayor then said to the police, 'If you see a man stealing, and you have told him three times to stand, and warned him that he is a dead man if he does not stand, and he runs, shoot off his legs; the design of the office of the police is to stop thieves; but an enemy should not be harmed until he draws weapons upon you.'