

our settlements, in proportion to the growth of facilities for obtaining the luxuries of civilization, as well as the medicaments prescribed by the physician.

It is proposed that a general food and drug Act shall be passed by Congress, or if that be impracticable, a law of a similar character in all the States to punish the swindlers who thus prey on the public, and to arrest the spread of this form of fraud. This is very proper and the penalties of such a law ought to be severe. But it would be far safer for the people of this Territory to establish, as fast as possible, manufacturing establishments to supply the home market if nothing further, with genuine articles in common use. What need is there of importing pickles, or vinegar, or red pepper, or mustard, or candy, or syrup, or honey, or whiskey, wine and similar beverages? None whatever.

"In consequence of evils and designs which do and will exist in the hearts of conspiring men in the last days," we have been "warned and forewarned" by the voice of inspiration in regard to many of these things. And if we are wise in our generation we will strive to establish and support every enterprise which will add in stopping importation, and also deny ourselves the use of many things in common use and becoming regarded almost as necessities, until we can make them at home and have them pure and unadulterated.

What we eat and drink has much to do with our moral, intellectual and spiritual progress, because the body and the spirit are so intimately mixed and mingled, so "thoroughly mixed and mingled," that each is affected by the other. Therefore if we wish to enjoy this life, fill the full measure of our days on earth, and have bright and rational conceptions of the world to come, we should pay considerable attention to the things we consume. Pure, whole some, properly cooked and digestible diet has much to do, not only with bodily health and comfort, but with mental vigor and stability. Then let us produce as nearly as possible all that we use for food and clothing, that we may retain the means of our own salvation for the benefit of others, and also save ourselves and our children from being poisoned and ruined through the evil practices of a wicked and adulterating as well as adulterous generation.

#### THE REYNOLDS TEST POLYGAMY CASE—AN UNCONSTITUTIONAL AND OPPRESSIVE DECISION.

From the *Millennial Star*, (Liverpool, Eng.) Jan. 13.

A published dispatch from America, dated Jan. 6th, informs us that, "The United States Supreme Court has decided that Congress has power to pass laws prohibiting polygamous marriages in Utah, and that such laws are constitutional." This means that the "Court of Last Resort" has given a decision in the case of the People, etc., vs George Reynolds. The proceedings in this suit were inaugurated in Salt Lake City, in the winter of 1875, with the understanding that it would be carried on appeal to the highest tribunal in the land, for the purpose of testing the constitutionality of the anti-polygamy law, passed by Congress in 1862, and under which statute the case was conducted. In the first proceedings, in the Third District Court of Utah, the jury returned a verdict of guilty, and, on December 21st, 1875, defendant was sentenced to imprisonment at hard labor, in the Detroit House of Correction, a United States prison, and to pay a fine of \$500. The case was appealed on the ground that the defendant married more wives than one according to a religious rite and ordinance and conscientious convictions. In consequence of this he claimed that the law of 1862 is null and void, being unconstitutional, because it hindered him in the free exercise of his religion. To put the matter clearer, the Constitution provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The Constitution forms the basis of all laws; therefore, every statute that conflicts with the provisions of that sacred instrument is void and of none effect. It constitutes the bulwark of safety to the rights and liberties of a free people. It pro-

vides, as before stated, that no legal enactment that infringes upon the rights of religion and conscience shall stand. In fact it expressly prohibits the passage of such measures. In the face of the plain and unmistakable letter and spirit of the Constitution that other rampart of the freedom of the people, the highest legal tribunal in the country, decides, in effect, that Congress has a right to hinder the establishment and free exercise of religion. What a monstrous and glaring inconsistency! What an anomaly in a boasted free and untrammelled republic.

It may be urged by those who seek a justification for the outrageous and oppressive decision, that plural marriage is not a religious institution. But who shall be the judge of that? Is not the acme of folly and absurdity reached when a government proclaims that there shall be the most unlimited freedom in matters of religion, and then dictates what shall or shall not form a portion of the religious institutions of any portion of the community? Unless the party imbibing and practising principles of religion is left the sole judge as to what they shall constitute, farewell to religious toleration and liberty.

The Latter-day Saints embraced the institution of plural marriage as a revelation from God, as a most vital principle of their religion, many years before the law of 1862 was enacted. As citizens of the Republic, they knew they had a perfect right, under the constitution, to practise their religion, so long as they did not infringe upon the rights and liberties of others by so doing; therefore, the law is oppressive, restrictive, unconstitutional and void. But the Supreme Court declares that it is constitutional and legal. The community of Latter-day Saints have been betrayed, and are now compelled to awake to the fact that they have no rights that the government under which they live are bound to respect.

As to plural marriage being a portion of the religion of the Saints, the world has lately had one of the most staggering and overwhelming testimonies, the *Reynolds Case*, which cannot be resisted. A great deal of falsehood and slander has been dished up and industriously circulated about the down-trodden women of Utah, who were supposed to be languishing to be freed from the polygamic fetters by which they were said to be securely fastened. A short time since an anti-polygamic crusade was inaugurated by a number of persons who take delight in meddling with other people's affairs. The lady members of the Church of Jesus Christ of Latter-day Saints, as if with one mighty impulse, flew to the defence of what they consider a divine institution, a portion of the holy religion they had espoused, and for which, in unison with their husbands, they had endured many hardships. Mammoth meetings of the ladies were held in all parts of Utah, and, considering the slanderous reports alluded to, a most anomalous spectacle was presented in those gatherings. Ladies who were practically involved in the marriage system of the Saints stood up and eloquently protested against any interference with it, being a portion of their religion, and a divine institution. Ladies whose husbands had but one wife asserted, with unmistakable plainness, that they were not unwilling that their life partners should increase the dimensions of the domestic circle by entering into the marriage relation with others. Young, unmarried women also expressed an unflinching conviction of the righteousness of the revealed system for the eternal union of the sexes.

We lay it down as an incontrovertible proposition that, under the banner of a free republic, religionists are the sole judges as to what shall constitute their religious faith and practise, the release of that heaven-born privilege to another party being a surrender of one of the rights dearest to the heart of every freeman. The Saints have given the most impregnable proofs that the system of marriage they have adopted, in faith and practice is a part of their religion, thus placing it beyond the rightful interference of the law-making and administrative power of the United States.

Why have the judges of the Supreme Court decided that religious liberty can be constitutionally infringed upon, when the Constitu-

tion itself expressly forbids such infraction? It was because they had to choose between two horns of a dilemma, the one being to decide in favor of human freedom and the Constitution, standing up like men for the right and facing the current of popular prejudice, which flows strongly against the Saints and their institutions. The other was to ignore the rights of conscience, guaranteed by the Constitution, truckle to popular bigotry, and opinion founded on ignorance and unchristian hatred, and thus prostitute the noble calling of the judiciary by dragging the term in the mire and slime of injustice and oppression. Those judges—we do not know whether the decision was unanimous—have chosen the latter course, and, in so doing, have driven deeply the entering wedge that will split the nation into factious fragments, which no man nor party will be able to gather up and cement.

The American people point with ostentatious pride to the fair record made, in the revolutionary struggle for freedom, by the immortal Washington, named, in affectionate memory, the "father of his country." But were the spirit of that great man permitted to gaze upon the present condition of this nation, he would surely be filled with ineffable contempt in viewing the uninviting spectacle of an unjust presiding judiciary and vitiated popular sentiment. How different is the genius of the recent decision from the spirit breathed by the following letter, written by him, soon after the framing of the Constitution, directed to the "Central Committee of the United Baptist Churches in Virginia:"

"Gentlemen.—If I could have entertained the slightest apprehension that the Constitution, framed by the Convention where I had the honor to preside, might possibly endanger the religious rights of any ecclesiastical society, certainly I would have never placed my signature to it; and if I could conceive that the General Government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded, that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny and every species of religious persecution. For you doubtless remember I have often expressed my sentiments, that any man conducting himself as a good citizen, and being accountable to God alone for religious opinions, ought to be protected in worshipping the Deity according to the dictation of his own conscience."

We look upon the decision under consideration as by far the most important that has been rendered during the one hundred and two years of the existence of the Republic. It is not a measure of a party in politics. It is true that the Saints, after being robbed, driven, whipped and many of their number murdered in cold blood, appealed to the various administrative and executive authorities of the land, until they reached Martin Van Buren, then President of the United States. In reply to the representation of the wrongs for which they pleaded for redress, his response, so suggestive of pusillanimous imbecility, was, "Your cause is just, but I can do nothing for you." This infamous and contemptible answer indicated a knowledge of the right combined with a cowardly fear to act upon so sacred a conviction. His was the part of inactivity born of the despicable sentiment of moral cowardice. Even that decision was not so grave as the one now given by the Supreme Court, for the latter is the final arbitrator of justice, to which even the President of the Republic is subject. That tribunal has not even sought the weak subterfuge of inaction, but has perpetrated the grossest violation of human rights that appears upon the annals of the country. It is a decision that will, in time to come, cover the names of the judges whose action it was with ignominious infamy and detestation. In countries ruled by the iron hand of despotism such acts are to be expected, being in keeping with governmental institutions whose foundations are laid in tyranny. But in a nation like America, the boasted land of freedom, her citizens who are oppressed have a right to expect and even demand better things. When the court of Last Resort, the institution whose right it is to decide what shall or shall not remain upon the statute books as the law of the land, loses

its prestige by catering to public prejudice, deciding adversely to right and justice, the last guard of religious toleration is swept away. But there is still something that holds a higher place than that Court—the Constitution of the country which is the "supreme law of the land," and when the highest court undertakes to ignore that supremacy, by rendering decisions that are opposed both to its letter and spirit, their actions are not entitled to the respect that would be otherwise accorded them.

We do not doubt that the decision under consideration would be received with approving acclamation by the overwhelming masses of the people in all parts of the country. To such sentiments of exultation we are happy in the belief that there would be not a few honorable and intelligent exceptions. The most jubilant would most probably be those who "teach for hire and divine for money," whose crafts have been placed in imminent danger by the superiority and successful propagation of the doctrines of "Mormonism." This class especially, imbued with the same spirit as those who exclaimed, in reference to the Savior, "Away with him; crucify him," are anxious that the Latter-day Saints and their institutions should be blotted out. No methods are too barbarous or bloody for them, so long as the object nearest their hearts is accomplished. Those who are filled with gloating anticipation at the decision doubtless couple their joyful expression with prognostications of the speedy doom and downfall of "Mormonism." Full well do they know that the Saints cannot give up plural, or rather the Celestial Order of Marriage, without relinquishing their religion. They are likely to expect that they will do so under an overwhelming pressure of force. In this they are miserably mistaken. Should the pressure come there may be a few weak-kneed ones in the community whose moderate valor will succumb to the power of opposition; but the great bulk of the people will live their religion and trust in God, who has promised to fight their battles.

We are well acquainted with the Latter-day Saints and their institutions, and our unhesitating testimony is that they are the most orderly and law-abiding people within the broad domain of the United States. Many of the leading minds of the age who have visited them in their peaceful cities and settlements, have added a disinterested testimony to this fact. It is a portion of their religion to uphold all constitutional law. As evidence of this we here quote from a revelation given through Joseph Smith the Prophet, at Kirtland, Ohio, August 6, 1833 (Book of Doctrine & Covenants, American edition, page 12), "And now, verily I say unto you concerning the laws of the land, it is my will that my people should observe all things whatsoever I have commanded them; and that the law of the land which is constitutional, supporting that principle of freedom in maintaining rights and privileges, belongs to all mankind, and is justifiable before me, therefore, I, the Lord, justify you, and your brethren of my church, in befriending that law which is the constitutional law of the land; and as pertaining to the law of man, whatsoever is more or less than these cometh of evil."

This instruction from Jesus Christ, the Divine Master, is evidently prophetic and anticipatory of the unhallowed efforts of the enemies of truth to overthrow His Church. The laws of the Church are such that the constitutional statutes of the land do not conflict with them; therefore the Constitution has to be ignored in order to reach the "Mormons," who are a growing and will soon become a great power. But neither God nor the principles of human freedom that should exist between man and man, require that the Saints should obey a legal measure the unconstitutional character of which is self-evident. In the language of President John Taylor, while giving testimony upon the witness stand, in one of the courts of Utah, they will choose to obey God rather than man." In the words of the same staunch defender of the truth, it is with the Saints, "the kingdom of God or nothing." We do not understand it to be the intention of the "Mormons" to renounce any principle of their religion. With them it is "Mormonism," or the Gospel of the Savior in its entirety; nothing short of it, come what may.

The deep hypocrisy of this perverse generation must be without parallel. While extolling, at a distance of many centuries, the characters of Abraham, Jacob, Moses, and other holy men, with whom the God of heaven held communion in person, as one man with another, by their actions they plainly show that did those worthies live now they would, had they the power, incarcerate them in the cell of the felon. Failing in that they would advocate recourse to methods of bloody and relentless extermination. And this in the face of the words of the Savior, to the same canting element among the Jews, "If ye were Abraham's children, ye would do the works of Abraham."

In opposition to the oft-repeated prognostications about the demolition and downfall of "Mormonism," we are not afraid to express the most confident anticipation of the rise and progress of that divine system of salvation. It will gain an ultimate majestic and virtuous triumph over every opposing force, however powerful. Its enduring walls are being reared upon the foundation of eternal truth, and while it stands invincible against the attacks of men, the nations that fall upon it will be broken in pieces, to rise no more, for the Lord has said to his people, "No weapon that is formed against thee shall prosper; and every tongue that shall rise against thee in judgment thou shalt condemn." The repeated verification of this promise in cloudy times of the past, fills the Saints with unflinching faith that in the future also they will be defended by the potent power of the outstretched arm of Jehovah.

#### EDITORIAL NOTES.

Louisiana has a State debt of a little over \$13,500,000. Just before the war it was officially reported at \$5,700,000. After the close of the war \$7,000,000 was expended for levees, and the balance has accrued through interest on the old bonds. That's the way to progress. How long at this rate will it take a State to become bankrupt?

In another column will be found an article from the *Cherokee Advocate*, published at Tahlequah, in the Cherokee Nation, partly in the Cherokee language. The massacre of the Cheyennes is only one more bloody stain on the skirts of this nation, and one more step nearer to the righteous retribution that will come as a consequence of rank injustice, vile oppression and gross rapacity on the part of the "superior race."

As evidence that money is plentiful notwithstanding the distress in Europe, English papers state that when an additional issue of stock was made by the Rotterdam Street Railroad Company, 71,000,000 florins, or about \$30,000,000 was offered on the first day the books were opened. Capitalists hoard their money and will only invest in safe and solid enterprises, and thus building and manufacturing interests linger, the laborer is unemployed and destitution prevails.

Sitting Bull's message to the United States Government is mournfully pathetic and peculiarly Indian in its method of expression. He says: "Once I was strong and brave and my people had hearts of iron, but now I am a coward and will fight no more forever. My people are cold and hungry, my women are sick and my children are freezing. I will do as the Great Father wishes. I will give my guns and my ponies into his hands. My arrows are broken and my war paint thrown to the winds."

In the year 1874 the death penalty for murder was abolished in the Canton of Friburg, Switzerland. It contained 110,000 inhabitants, and in the ten years preceding there were only seven cases of murder. During the three years following the change in the law, fifteen murders were perpetrated and there were five more last year. That is, when capital punishment was the law, the murders numbered less than one a year, now they occur at the rate of five a year. The inference is easily drawn.

A bright little three-year old, while her mother was trying to get her to sleep, became interested in some outside noise. She was told that it was caused by a cricket, when she sagely observed, "Mamma, I think he ought to be oiled."