

DESERET NEWS: WEEKLY.

TRUTH AND LIBERTY.

PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY.

CHARLES W. PERROSE, EDITOR.

WEDNESDAY - AUG. 18, 1886

"MORMON" IMMIGRATION AND POLYGAMY.

It is pretty well known that there is a statute of the United States designed to prevent the landing in this country of foreign paupers, idiots, convicts and persons likely to become a public charge. And it is notorious that this law is not usually enforced, only a spasmodic effort being occasionally put forth to show that the emigration officers are not always asleep. But every now and then some fanatic starts up and attracts attention to himself by demanding the application of the statute to the "Mormon" immigration. Every such attempt has hitherto proved a failure, and the small-brained person raising the rumpus has only succeeded in showing his own lack of sense.

The latest cranky movement in this direction was made by one Edmund Stephenson, a member of the Board of Commissioners of Emigration at New York. He has repeatedly endeavored to obstruct the landing of "Mormon" immigrants at that port, but has been invariably voted down by the rest of the Board, who seem to have common sense as well as an understanding of the law to regulate immigration. Thwarted before the Board, he addressed, on the 15th of July, a letter published August 1st, to Acting-Secretary Fairchild, of the U. S. Treasury, in reference to the Nevada company, the gist of which will be found in the following extract:

And all these 407 persons were allowed to land, as in the opinion of the majority of the Board of Commissioners said persons were not likely to become a "public charge," and they were under the care of, and homes would be provided for by, the church and society represented by the "Mormon Elders," and I submit that the only evidence before the Commissioners that said persons would not become a public charge was the guarantee of a lawless community and the statements of its "Elders."

I am this day informed at Castle Garden that there are now on their way to this port two steamships with over 700 similar Mormon immigrants on board, and that there are still more to follow; and I desire most earnestly to protest against their being allowed to land, and respectfully urge upon you the importance of this matter, and request from you instructions in time either to prevent or allow their landing. I claim and submit that the act of Congress was intended to and does prevent the landing of any and all persons to this country for the purpose and with the intent of aiding and abetting in the violation of the law of God and of the statutes of these United States, and more especially where such persons, as in the case of those landed from the Nevada, have no means of support save as they derive the same by or through the Church of the Latter-day Saints."

Stephenson asked for definite instructions. Up to the present date none have been imparted so far as known. The probability is that the matter will be left where it belongs, that is with the Board of Emigration of which Stephenson is an obstructive member.

On this subject the New York Times has the following editorial:

"The problem presented by Mormon emigration is a very difficult one. In the first place, how can it be proved that the Mormon immigrant intends to violate the law? He intends to go to Utah and to become an adherent of the Mormon Church, but only a small percentage of the Mormons in Utah practice polygamy. Very few of the converts who have come from Europe in the last five years have broken the law that forbids plural marriage. But even if it could be shown that every Mormon immigrant who arrives at this port intends to become a polygamist, under what law could they be shut out? If a convert unable to take care of himself or herself without becoming a public charge should arrive, that convert could be excluded under the existing law. But the church sees to it that no converts come in that condition, and it must be admitted that the history of those who have come does not show that those who are now coming will become public charges. The imported converts of the last two years have become thrifty and self-supporting citizens of Utah and elsewhere. The church brings them to Utah and puts them on their feet. They do not burden the almshouses there. They do not burden the almshouses in the East. Still, if they have little or no money when they come into port, are the

Commissioners obliged to accept the promises of the Mormon Church that they will not become public charges?

These immigrants are undesirable because they increase the power of an organization that violates the marriage law. But it seems to us that violations of this law should be dealt with when and where they are committed. We believe that it is possible to suppress polygamy in Utah and elsewhere, by persistent and unrelenting prosecutions under the Edmunds act. We do not see how it can be suppressed by excluding at this port immigrants who have not become polygamists and may never practice polygamy. These immigrants should be treated as other immigrants are treated. If they are convicts, lunatics, idiots or paupers, they should be sent back. But it will not do to return them for the sole reason that they have embraced the so-called religion of Joe Smith."

The Times takes a common sense view of the matter as it is affected by the emigration law. The Church of Jesus Christ of Latter-day Saints, however, is not "an organization that violates the marriage law." If any marriage law is violated that is done by individuals, not by an organization. The Church breaks no law. We do not know of any violation of marriage laws in Utah. The Times probably means the laws of 1862 and 1882. But neither of them is a marriage law, and there is no such a thing upon the statute books of the United States.

The marriage law of the Church of course only affects its members, and the majority of them only have one wife. The polygamy bugbear which frightens fanatics of the Stephenson stamp has nothing to do with the immigration matter, and the "Mormons" who come to this country from abroad do not emigrate for the purpose of breaking any law of God or man. And they are not paupers, neither do they become a public charge, but on the contrary, by their industry, coupled with their order and sobriety, as a rule they become a public benefit.

The New York Sun, of August 3d, taking up the same subject has the following very sensible article: "In a letter to the Acting Secretary of the Treasury, Mr. Edward Stephenson, of our Emigration Commission, takes the ground that the Commissioners are authorized by law to prevent the landing of the hordes of Mormon converts who come to this port. The law to which he refers is that of August 18, 1882, and shuts out from our shores any person unable to take care of himself or herself without becoming a public charge."

It seems that on the 7th of last month the steamship Nevada arrived at New York from Liverpool with 497 such converts, who were allowed to land because in the opinion of the majority of the Emigration Commissioners they were not likely to become a public charge, since they were in the care of "Mormon Elders," who had undertaken to provide homes for them. Mr. Stephenson holds that this decision was wrong, inasmuch as "the only evidence before the Commissioners that said persons would not become a public charge was the guarantee of a lawless community, and the statements of its Elders." Two other steamers, bringing more than one thousand additional Mormon converts, were daily expected at the date of his letter, July 15, and he therefore protests to the Acting Secretary against the course adopted by the Commission with respect to such immigrants.

It is very plain that the majority of the Commissioners are supported by a common-sense interpretation of the law, and that Mr. Stephenson is all wrong as to his head, however right he may be as to his heart. Everybody knows that the imported Mormons will not become a public charge, but will speedily be put in the way of supporting themselves and furnishing tribute to the Mormon Church, no matter how poor in purse they may be on their arrival. They are not paupers, and they do not come here for the purpose of subsisting at the public expense. But we shall not undertake to argue that point, for it seems to us quite evident that such immigrants do not come within the proscription of the act, which applies to paupers and so-called "assisted emigrants," who are sent over to occupy our poor houses.

What we wish to refer to is a further remark of Mr. Stephenson when he speaks of Mormonism, or, more specifically, polygamy, as being "in violation of the law of God and of the statutes of these United States."

Now, polygamy is undoubtedly forbidden by our law, but when Mr. Stephenson declares that it is contrary to the law of God, what does he mean? It was not in violation of the Mosaic law, and was commonly practised by the Old Testament patriarchs. There are no positive injunctions against the practice in the Bible. Jesus says nothing on the subject, and yet polygamy still existed among the Jews of his day, though it had fallen in pretty general disuse. St. Paul, in his first epistle to Timothy, seems, by implication, to countenance polygamy when he says: "A bishop, then, must be blameless, the husband of one wife, vigilant, sober of good behavior, given to hospitality, apt to teach." The Christian converts over whom the Apostle exercised such careful supervision were often, as we well know, taken from among people who practised polygamy; and in recent times Bishop Colenso, in Africa, and missionaries of different Protestant denominations in India have deemed

it expedient to allow heathen polygamists to retain their wives after baptism. They may keep those they have, but the converts must take no more wives; and the exception is defended on the ground that it would be cruel to break up family relations already established. It is plain, therefore, that these missionaries do not look upon polygamy as in violation of the law of God, else it would be their duty to absolutely forbid the practice at any cost.

But outside of heathendom and a few exceptional cases there, the Christian church has adhered to the custom of ancient Rome, and from the time of the early fathers has required that a man shall be the husband of one wife only. The law enforcing monogamy seems rather to be a church law than a direct Biblical command. It is a good law, and as such is the law of God, but it is not laid down in Scripture."

We do not agree with the Sun that the law enforcing monogamy is a good law, because we know that its effects in a large number of instances are evil. And we believe that the day will come when the world, freed from the bondage of Romish restrictions occasioned by an excess of masculine population, will cast off the yoke of a cruel and vice-breeding law, and adopt a more liberal policy, suited to the diverse conditions of different localities and the varied capacities and requirements of different individuals, and will adopt rules and customs in keeping with natural and divine laws, which embrace both the monogamous and polygamous principles, promoting the greatest good to the greatest number. The world is moving, and truth will prevail.

SMUGGLING BY MAIL.

The loss of the Oregon has produced one result which will not be lost sight of by both the British and American governments. Most of the mail matter sunk in the depths of the sea has been recovered, much of it water-soaked and with the addresses illegible. It has been forwarded as far as possible to the parties for whom it was intended. But in examining second-class packages a large quantity of dutiable article have been found enclosed, showing an evident intention of violating the revenue laws.

It is intended when the names of the senders can be discovered to prosecute them for smuggling. And it has even been hinted that the persons to whom they were sent will be made liable. This however is rather doubtful, for it will be very difficult to make the latter parties to the offense.

In future it is quite likely that some supervision will be had over suspicious looking packages of second class mail matter from abroad, and smuggled goods conveyed in that way will no doubt be confiscated, even if the parties who send them or send for them escape the penalties of violated law.

THE LAW OF GOD IS SUPREME.

The Lamon Herald, the organ of the "Josephites," pretends to reply to an article in the Semi-Weekly DESERET NEWS of July 6th entitled "God's Law and Man's Law." It was written in answer to one in the Herald attempting to show that "any law of Congress is the supreme law of the land," and that "should a State, city, church or individual refuse submission they are the law breakers;" also to support the statement that the Prophet Joseph Smith taught this doctrine.

We argued the points in detail, quoting from the Doctrine and Covenants to prove that the word of the Lord through the Prophet enjoined obedience to the law and will of God first and foremost, and then the support of all constitutional laws of the land, "any thing less than these coming of evil." We showed further that some laws of Congress had been declared invalid by the Supreme Court of the United States and that an unconstitutional law is in itself void from the beginning, and that the Supreme Court itself is not infallible, because it has reversed its own decisions and has given no less than three diverse and opposite rulings upon the same question, to wit, the legal tender act. Our conclusion was, that while a decision of the United States Supreme Court, right or wrong, is final in law, if it is morally, religiously, actually wrong, all the legal lore and national authority in the world will not make it right. And our position was, that when the issue is obedience to God or submission to man, the course of the true servant of God will be so plain that he needs no voice to urge him in regard to his religious duty.

The article in the Lamon Herald of August 7th ignores the vital points at issue, and endeavors to place our position in an improper light. It also avoids all reference to the pointed questions we asked of its editor. The same ideas he formerly advanced, and which we proved to be incorrect from the very documents from which he pretended to quote, are now reiterated and maintained. Summed up they amount to this: Every law of Congress, right or wrong, is the supreme law of the land

and must be obeyed no matter what principle or religion it may invade. It ever so unconstitutional it is the supreme law if not declared so by the Supreme Court, and no one has the right to resist it. "Every claim to this effect," the editor says, "is hurtful wherever it obtains; and there is not one passage in the three standard books of the Church which can be made to justify it."

He quotes the saying of the Savior: "Reader unto Caesar the things that are Caesar's and unto God the things that are God's;" the instructions of Peter: "submit yourselves to every ordinance of man for the Lord's sake, whether it be to the king as supreme, or unto governors as unto those that are sent by him for the punishment of evil-doers;" of Paul "Let every soul be subject unto the higher powers," etc., and of the Doctrine and Covenants in reference to keeping the laws of the land; and goes on to argue that "though such laws are utterly contrary to the revelations given to the Church through the Seer, yet the Saints must submit to them and must not resist them, whether for the reason that they are morally wrong or were contrary to the revelations of God given to govern the Church."

To this we reply, no law of the land is supreme if it is not in accordance with the Constitution. In fact it is not a law at all, in the proper sense of the term. It never had a legal existence. The Constitution and the laws passed in pursuance thereof and treaties in harmony therewith are the supreme law, but if unconstitutional they are void ab initio. If no one has the right to resist or refuse to submit to an unconstitutional law, how is the validity of the law to be tested in the courts? On the theory of the editor of the Lamon Herald, Congress can pass any law it pleases, even if it tramples upon religion and prevents the free exercise thereof, and citizens have no choice but to obey, and thus the very right of appeal and testing by the Supreme Court is abrogated. Courts do not take up laws voluntarily to decide upon their constitutionality. Cases must be brought to test them, and only by resisting them can their validity be judicially determined. We need spend no more space on this point; it ought to be clear enough to be admitted even by the editor of the Lamon Herald.

There is a dividing line between the domains of religion and the secular law. Caesar is to have his own, but he must not encroach upon that which belongs to God. On the "Josephite" theory, Caesar can claim and take it all, for the Saints must submit, even though the law of Caesar is contrary to the revelations and commandments of God. That is not the doctrine of Jesus nor of His Apostles, nor of the Eternal Father, nor of any servant of the Lord. It is the doctrine of the apostate, the time-server, the truckler and the hypocrite. When God gives a commandment, that is supreme. The only question that can reasonably arise is as to the divinity of the law. If it is of God it must be above all human enactments. That any man professing to be a representative of Deity can place a human enactment before and above and superior to a law of the Almighty, is an amazing piece of folly and a sure evidence that his claim of divine authority is a sham and a pretence.

All the duties and obligations which the Scriptures enjoin upon the people of God in regard to "the powers that be," relate to the legitimate sphere and authority of those powers. The Saints are not commanded to render to Caesar the things that are God's. They are not required to obey kings and governors when those rulers order them to violate or refrain from obeying divine commandments. They are not directed to obey that law of the land which is unconstitutional, for the Lord says, that "cometh of evil."

By the "three standard books of the Church," the Herald editor means of course, the Store, Book of Mormon, and Doctrine and Covenants. He says there is "one passage" in these books which justifies our position. Let us see: Was not the word of the Lord to Israel through Moses opposed to the law of King Pharaoh? Would the Israelites have ever escaped from bondage to the Egyptians if the word of the Lord had not been regarded above the mandates of the King? Was not Daniel justified of God in keeping the divine law as opposed by human law. Did he not put the will of Jehovah above the edict of Darius? And are not the three Hebrews held up as an example to all generations because they refused to obey the law of the land concerning the golden image? Their fear of the Lord was greater than their fear of Nebuchadnezzar or of the fiery furnace. The prophets who were persecuted and tormented and had to live in dens and caves of the earth, suffered because they obeyed God rather than man. The Apostles of Jesus Christ who counselled obedience to law, to kings and governors and rulers, were put in prison and to death for resisting and refusing to obey laws and authorities that were in opposition to the law of the Lord.

Peter put the matter very plainly when commanded by the authorities "not to speak at all nor teach in the name of Jesus." He and John answered, "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye."—Acts iv, 19. And when "the captain and the officers arrested them for violating the regulations which were equal to law," Peter and the other apostles answered and said, "We ought to obey God rather than men."—Acts v, 29.

Come now to the Book of Mormon: Abinadi, because he would carry out the mission entrusted to him in spite of the commands of King Noah, was cast into prison and finally was burned to death, preaching in defiance of the King's law even in his dying moments.—Moshiah chap. 17. Alma and Amulek, for the same reason, were smitten and imprisoned and many of their converts were cast into the fire.—Alma chap. 14. The people of Anti-Lehi-Nephi refused to obey the law in taking up arms, preferring to keep their covenant with God and suffer the consequences. A thousand and five were slain on this account.—Alma chap. 24.

The Doctrine and Covenants contains the direct word of the Lord on this subject. "And now verily I say unto you concerning the laws of the land, it is my will that my people shall observe to do all things whatsoever I command them; and that 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." Here are the three standard books of the Church uniting on the principle that the law of God is first, and must be obeyed, and that man's laws that sustain human freedom are also to be sustained by His people. But His law is supreme and paramount; and to be obeyed even unto death.

The holy men of God and the martyrs who have suffered for conscience' sake were persecuted in the name of law. If they had been willing to put the laws of man and the edicts of secular rulers before the word and law of God, they could have escaped from their awful tribulations and deaths by violence. On the "Josephite" theory, all the ancient prophets and apostles who obeyed God rather than man were malefactors. Daniel and the three Hebrews were not justified in their non-submission to secular "supreme law." All the noble men and women who died for the truth were rebellious law-breakers who deserved their fate. And God must bow before the fiat of earthly rulers and never dare to reveal anything which is contrary to the notions of Parliaments and Congresses and the rulings of judges and courts.

We asked the "Josephite" editor whether he would cease to baptize by immersion for the remission of sins, if Congress should pass a law against it on the ground that while it may not interfere in matters of belief, it may prescribe regulations against injurious customs. But he does not deign to answer the question. Instead, he speaks of the submission of Joseph the Prophet to the process of courts, and tries to insinuate that the Utah people do not follow his example. The answer is that the Saints here have not resisted legal process, but scores of them have gone to prison rather than deny their faith. That is not the point in question. It is the superiority of the law of God to the dicta of men. That we do not think any sane and truthful man will dispute. The proposition is so plain as to be almost self-evident.

In the case which called up this discussion, a revelation was received from God commanding certain things. Many years after this commandment was received and obeyed, a law of man was enacted for the purpose of suppressing the establishment of religion thus created. Those who have entered into it having no doubt of its divinity, are confronted by a law which on its face is a violation of the Constitution. The choice with them is, either to hearken to that which they know to be of God, or bow down to an unconstitutional law of man. We need not say what would have been the course, under the circumstances, of a Moses, an Elijah, a Daniel, a Peter, a John or a Paul, or of Joseph the Seer of the latter days. As for his degenerate son he speaks for himself. He would put the law of man first and thus escape trouble and subordinate his religion, the revelations of God and Deity Himself to the secular power, so that he may find favor of the world.

Comment is superfluous. God's true representatives never were of this stamp. They reverence His word as the supreme law of the universe and will "abide in His covenant, even unto death." A god that is subordinate to human authority is a bogus deity and is unworthy the adoration of any rational being. The God of Israel is above the nations, and the time is coming when every kingdom and organization which will not serve and obey Him, will utterly perish from the face of the earth.

A TANNER WANTS WORK.

PROVO CITY, Aug. 12th, 1886.

Editor Deseret News:

Will you please put this in your paper for me. I am a new comer this summer and a stranger. I would like to know if any of the towns or villages want to get a man to run a tannery for them. I have the tools but no money. I have been 25 years at the trade in all its branches. I would go at once as I have no work to do. Address: Wm. H. Young, tanner and currier, Provo City, Utah County, Utah.

Ex-Mayor Latrobe, Baltimore, Md., says the best cough medicine is Red Star Cough Cure. Dr. Samuel K. Cox, D. D., of Washington, D. C., after a careful analysis, pronounced it purely vegetable, and most excellent for throat troubles. Price, twenty-five cents a bottle.