

## ASSASSINATED AGAIN.

The New York Evening Press thus humorously but correctly portrays the wonderful vitality of "Mormonism."

"According to the Washington correspondents Mormonism is to be killed forthwith, by act of Congress; in fact it may be said to be already dead, from the effects of the Edmunds-Tucker bill in the Senate yesterday. Mormonism has been so often killed before by act of Congress that it seems to thrive on fatal blows."

But Mormonism was killed in a similar manner even before Congress commenced the massacre. It was killed under Joseph Smith at Nauvoo, in the 40s, and it was totally exterminated when driven out of Florence into the desert under the leadership of Brigham Young. After that it was annihilated by the U. S. army under Albert Sidney Johnson, and next the discovery of mines all around Utah was to kill off Mormonism by the process of constricting. Then the act of Congress, prohibiting bigamous marriages in the territories, was applied with the usual result of anti-Mormon remedies. Following that Mormonism was to be knocked off the track by the Union Pacific railroad, but even after the completion of that great work it kept on in the old way, apparently unconscious of how dead it was.

The destruction of Mormonism by the partition of Utah among the other territories was the next process for its obliteration from the political and physical map, but as that didn't "pan out" satisfactorily the Edmunds Commission was invented to do the business. Still Mormonism and Mormons kept kicking without paying any attention to their very dead condition, and now the Edmunds-Tucker conference bill kills them over again. In view of the number of times it has been killed, Mormonism seems to be one of the best wearing political corpses this country has ever produced—barring Ben Butler."

## THE TURNING POINT IN UTAH.

On the hypothesis that the anti-"Mormon" bill has become law, the Utah Commission has issued instructions to the presiding Judge of election at Brigham City, to administer the oath prescribed for persons offering to vote. Presuming that the law is in operation, this will bring the voters of the People's Party face to face with the question which has been agitating their local enemies for some time and driving them almost into a frenzy.

It has been hoped and prophesied and maintained by them that no "Mormon" could take the oath conscientiously, and as conscience is recognized as a "Mormon characteristic" which most "Liberals" feel under no obligation to respect, it has been laid down as a foregone conclusion that no "Mormon" would vote at any election after the passage of the bill. This would mean the deliverance of the Territory into the hands of those who have plotted for its spoliation and domination.

As we have stated before, the enemies of the "Mormons" are not the keepers of the "Mormon" conscience. Nor will they look for political guidance to the scoundrels who have schemed for their political destruction. This is a question which every sane man must decide for himself. Nobody knows the intentions of a voter as to present or future obedience to the laws of the land but himself, unless he likes to disclose them. There are no doubt many "Mormon" citizens who can take the oath conscientiously, though they protest against it as an infringement of their liberties. What reasonable objection can be offered to their acceptance of the conditions, when refusal of them will bring ruin to the Territory?

At Brigham City on Monday, we believe there will be found enough members of the People's Party who will feel at liberty to take the oath and vote for good government, low taxes, the suppression of the liquor traffic and of those vices which follow in its wake, and for men who will maintain the order which has hitherto prevailed in that peaceful city. This is what the votes of the People's Party will mean. If they feel free to take the oath, no judge has any right to reject their votes, whether they are "Mormons" or of any other faith. No polygamist will of course attempt to vote or take the oath. But those who are able to take it must be admitted to the polls, and if any one is rejected on false grounds, action for damages should be taken against the person so interfering with a sacred right, and he should be prosecuted under the law providing against obstruction and intimidation.

Somelady citizens should, in our opinion, offer to vote in order to test the validity of the section that disfranchises them without cause. Witnesses should be present to testify to their offer to vote and their rejection. The deprivation of a right which has become property, without due process of law, is an excess of legislative authority and in violation of well known guarantees. Sufficient damages should be demanded to carry the case up to a Court where there is some likelihood of obtaining justice.

The conspirators against the peace of Utah and the liberties of the majority

of its citizens have not yet succeeded in their nefarious designs. They are looking to Brigham City for a sign. We hope to see it as the harbinger of their discomfiture, and as a token that minority rule is not yet triumphant in a Territory of the great American republic.

## JOSEPH H. EVANS PARDONED.

A SPECIAL to the NEWS, in another column, brings the welcome tidings that Father Joseph H. Evans has been pardoned by President Cleveland.

The communication of the Attorney General, and the remarks of President Cleveland exhibit an important fact—that the mercilessness and cruelty exhibited by District Attorney Dickson, Judge Zane and other officials in the enforcement of the laws against polygamy and unlawful cohabitation are opposed to the views and sentiments of the administration.

A tale of relentless vindictiveness is susceptible of being unfolded that would startle if not horrify humane minded men who are unacquainted with the details of the judicial war that has been for some time prosecuted against the "Mormon" people. Wear familiar with them from actual knowledge. It is a pleasure to be assured, as indicated by the dispatch referred to, that such unadulterated diabolism receives no sanction of approval from the Department of Justice, or the President of this great nation.

At the time the petition for the pardon of Brother Evans was forwarded to Washington, Mr. Dickson was asked to endorse it. All that he would do was to certify to the facts stated in the document as being correct according to his understanding, but he refused to make any recommendation, stating at the same time that he could not recommend the pardon of any man who would not make the "promise." It is refreshing to know that there is some magnanimity in the breasts of the heads of the Government, if it is conspicuous for its absence in some of its local representatives.

## "IT IS A LAW?"

AFTER the NEWS went to press on Saturday evening, definite word was received by private dispatch as to the day when the anti-"Mormon" bill went to the President. It was Saturday, February 19th, and so there is now no question as to whether or not the bill has become a law. The ten days expired before Congress adjourned, so the measure became a law without the signature of the President. The query arose through the positive statement in a contemporary, that it did not reach the President until Monday, February 21st, in which case the ten days limit would not have expired before adjournment. Congress legally adjourns on the 3rd of March, but by a permissible fiction the 3rd is extended till noon of the 4th.

We do not share the extreme feeling exhibited in some quarters, on both sides, in regard to the attitude of President Cleveland. While it is true that many would have been much better pleased if he had vetoed the measure which he could not cordially approve, and a great many more would have preferred that he had signed the bill which he did not like to veto, his position between the horns of a dilemma was quite embarrassing, and one that required the exercise of great judgment as well as unusual courage.

It is easy to say what he ought to have done, but charity will suggest to all who condemn him: "Put yourself in his place." He could not approve of the bill as a whole. His inclinations and regard for fairness suggested a veto. But the bill was the work of both the great political parties. It was passed by very large majorities. Most of his official advisers desired its passage as favorable to his party before the country. The populace and the preachers who have the ears of the multitude demanded it. There was the temptation of the claim (which time will prove fallacious, by the way) that the Democratic party had accomplished by the bill in one effort more than the Republican party had accomplished after a quarter of a century's pottering and boasting. And to offset this, there was nothing but a sense of unfairness to an unpopular and unorthodox body, few in number comparatively and without votes on national questions. Is it to be wondered at that with all his reputation for "backbone," he hesitated to run against the strong pressure that condemned a veto?

We have the position of the President, however, to sustain our views in hostility to the scheme which precipitated this improper legislation. It was so bad that with all the influence urging him to sign it, the President could not do such violence to his convictions as to give it the positive sanction of his official signature. That is a good sign. It shows that he is not imbued with that vindictive spirit which animated its projectors, and that he is not desirous of extreme measures against a people who are pursued by bigotry and maligned by misrepresentation.

tation, and who at present have no fair opportunity for public defence.

We must treat the measure now as part of the statutory law of the country, some of which is of doubtful validity because it is in conflict with the spirit and letter of the Supreme Law of the Land. This, however, will have to be determined by judicial authority. What resistance to injustice and wrong may be offered must be interposed peacefully and legally. It is our duty to contend inch by inch for our rights as citizens of the United States, and as worshippers of the true and living God under a Constitution that guarantees this privilege. And in doing that for ourselves and our posterity, we at the same time will perform a part of our mission in battling for the civil and religious rights and privileges of all people, of every party and every creed.

## CAN THE COMMISSIONERS FORMULATE AN OATH?

A QUESTION has been sprung in reference to the legality of the oath and instructions sent to Brigham City to govern the municipal election in that place. It is alleged that there were only two Utah Commissioners here at the time when the document was transmitted, and it is argued that it takes a majority of the Commission to make the action of that body valid.

We do not think there is anything in this objection. It would no doubt require the action of a majority of that body to legally appoint any registration or election officer in the Territory, or do anything else which the Commission is authorized to perform by act of Congress. But the Commissioners, or any of them, have no more legal right to formulate an oath or prescribe regulations for the conduct of elections, than five Main Street merchants or one member of the Central Committee of the People's Party.

The Utah Commissioners have done a great many things for which they can find no authority in the Act which created their office and defined its duties. Some of those things were, perhaps, advisable under the circumstances, to secure uniformity and prevent confusion. But it is clear, not only from the wording of the law but from a ruling of the Supreme Court of the United States, that they have no authority of law for formulating an oath of any description whatever. If they do so it is not binding upon anybody. And if it received the signature of every member of the Commission, duplicated and triplicated, it would be none the more of legal value.

But, if the registration officer is authorized to administer the oath, and if the presiding judge of election may do so in case of an election before the regular revision of the registration lists provided for by law, what matters whether the Utah Commissioners, or any other lawyers, frame the form of the oath for the registration officer or the judge of election? Section twenty-four of the new law authorizes the administration of the oath by the officers named, and the Utah Commission, or one or two of that body, simply put the oath into shape for those officers, and thus uniformity is secured and elections can be conducted with order and similarity. Some of the persons selected to perform the duties of those positions are so densely ignorant and so bitterly malicious and partisan that, but for some regulations and formulations by the Utah Commission, or other body or person whom they would recognize, they would soon get into a snarl and serious trouble would be the consequence.

It is all right that some competent persons should see that the law is carried out according to its intent, and while no legal importance may be attached to an election oath or regulation because it was formulated by the Commission or some of its members, it cannot be objected to on that account if presented by the proper officer. And it is, perhaps, all the better for being put into shape by persons professionally qualified to do the work.

## WILL YOU SWEAR OR AFFIRM?

THE voting citizens of Utah should become thoroughly familiar with the language of the test oath provided in the new law designed to abridge their liberties. They should understand that it does not infringe upon their abstract belief. They may believe that it is right and proper under certain circumstances for a man to have more wives than one and to live with them as such. Or they may believe it is wrong for any one to marry more than one wife. Or they may believe it is wrong to marry at all. The test oath does not assume to affect any belief.

Neither does it affect the expression of belief. The right to defend and advocate anything that one believes to be right is an inalienable right under constitutional protection. Liberty of speech and of the press is one of the rights that cannot be infringed by law. The test oath was carefully worded so as not to trench on faith or its defence or advocacy. It only affects actions.

Those who take it promise to obey the laws of the United States and to refrain from aiding, abetting, counseling or advising any other person to commit the crimes defined and forbidden in the Edmunds Act and the new law.

All kinds of nonsense will be uttered and put forth to deter "Mormons" from voting. Far-fetched notions as to aiding and abetting will be advanced. The twenty-fourth section of the new act is its vital point to the crusaders against the peace of Utah. It contains their only hope for spoils. They curse it already as an "emasculated" measure, and confess that if any considerable number of the "Mormons" take the oath the law is not worth a dime. But most of the "Mormons" are "too old birds" to be caught with chaff. Those who feel that they can take the oath may do so without any fear from sources that will be pretended as fraught with danger. Every qualified citizen may take the oath who is willing at the time of doing so to obey the laws of the United States and to refrain from helping or advising others to break the law. Some intend to do an act, or help or advise another to do an act, that is punishable by those laws must exist in the mind of the voter, or he need not be deterred from taking the oath.

There is another consideration. Some people have a natural or educated antipathy to taking an oath in any form. The law provides that they may make an affirmation. They may either swear or affirm. The affirmation is as legal as the oath. Those who do not want to take the latter may claim to subscribe to the former. Instead of saying, "I being duly sworn," they each may say, "I being duly affirmed." Let every voter who objects to swear, insist upon making an affirmation instead. This is as the law provides, and when technicalities are insisted upon by others, we do no wrong in also insisting upon technicalities when it suits us to do so.

Personally we recognize no moral difference between swearing and affirming, or indeed from a simple unqualified statement. A man's word should be as good as his bond. His spoken promise should be as strong as his written agreement, his affirmation equivalent to his oath. If his present intention is to break the law or to advise and aid others in doing so, he would in our opinion be morally, though he is not legally, debarred from either affirming or swearing to the test oath.

There are male persons in this city, who have occupied prominent official positions and are "Gentiles" and Leaguers of the blackest brand, who have expressed and boasted of their intent to take advantage of every illicit opportunity that a woman would yield. In other words that they would violate the rules of virtue when they pleased and had the chance. Their character and proclivities are well known. Yet we hear no word of warning to them not to take the oath, though it relates to the crimes of fornication and adultery just as much as to bigamy and polygamy. Why is this thus? Oh! they are "Gentiles," and "Gentile" votes are wanted! Conscience does not count in that case. It is only when "Mormons" are likely to vote that the conscience scare is to be worked for much more than it is worth. If a "Gentile" of a certain sort does not intend, at the time the oath is presented, to indulge in his usual loose and libidinous conduct, it will be considered that his conscience is clear and he can subscribe and vote with impunity. Well, if a "Mormon," unmarried or with but one wife, does not intend, at the time the oath or affirmation is presented, to break the law, why is he to be upbraided for so declaring and voting in support of majority rule as opposed to minority domination?

Let the heathen rage and the Leaguers imagine a vain thing! But let every citizen of Utah who has a head on his shoulders think for himself, look at the vile scheme concocted for his political slavery by the would-be plunderers of the Territory he has helped to build up, and rejoicing at their failure to establish an autocracy on American soil, make up his mind to do everything that he can, legally and conscientiously, to still further defeat their infamous project, which has now only one unstable leg to stand upon, and that is the twenty-fourth section of the double-fathered abortion that was unworthy of the presidential signature.

## THE TOKEN OF THEIR DEFEAT.

THE election at Brigham City on Monday was a sign to the schemers who want to run the Territory of Utah for their own aggrandizement. It means that they have made another failure. They understand it in that light. Hence the frantic ravings of their chief organ, and the profane cursings of the principal Fifty-cent Leaguers. They were confident that no "Mormon" would take the test oath, so they pretended, while all the time they were in an agony of doubt over the matter. Now they make out that they knew all along what the "Mormons" would do and that no oath however framed would be too strong for them to take.

They ignore the fact that the Conference Committee purposely worded

the oath so that it should not infringe upon any one's faith or opinion, or the expression thereof, and that every male citizen, of age, "Mormon" and "Gentile," who had no intention of breaking the law should be able to take it. And they blind their own eyes to the fact that the "Mormons" in Idaho suffered themselves to be deprived of the ballot and of the right to hold office, rather than take an oath which infringed upon their faith and their membership in the Church of Jesus Christ of Latter-day Saints, thus encroaching upon their religious liberties. That Idaho test oath will itself be tested, and when it reaches a competent court, there is little doubt that it will be set aside as void and illegal. But the refusal of the whole body of "Mormons" in Idaho to take the Territorial test oath, shows that all the ravings of the Leaguers about the "perjury" of the Utah "Mormons" on taking the Congressional test oath, are so much buncombe and balderdash, the angry ebullitions of disappointed conspirators.

The attempt of the sophists to make the present attitude of the voting "Mormons" a contradiction of the course taken by their plural-wed brethren before the courts, has been completely exposed in these columns and need not be controverted again at length. Those who cannot see the difference between the promise sought to be extorted from a man who has plural wives, that he will forsake and repudiate them in the face of solemn covenants to cherish them for ever, and an agreement to obey the laws of the United States by a man who has never entered into such marital obligations, must be blind indeed.

But, however the "Mormons" may be misrepresented on this matter, it will make no difference as to the result. We are accustomed to being maligned. The opinion of the world is of small value to those who set the service of God above the good will of men. And the hatred of the villains who are now more venomous than ever because they see they are baffled in their evil purpose, only causes a smile of derision or a sensation of pity. Poor, miserable wretches, how they do squirm in their rage and sputter in their defeat!

The "Liberal" policy now announced is to be one of obstruction. Names are to be "kept off the register" by all the arts that can be resorted to; then they are to be "struck off the roll," when a pliant tool can be induced to aid in the vexatious work; then "challenges are to be made at the polls;" then elections are to be "contested and their apparent results reversed." This is the published programme of the Four-bit Leaguers. Well, this is not to be a one-sided campaign. The People are making a determined stand for the rights of which they are sought to be deprived. The same legal means and remedies are in their hands as those on which their unscrupulous and wrathful foes affect to rely.

It gives us pleasure to foresee not only that the People will be able to maintain the balance of power in spite of the odds that will be arrayed against them, but that the scoundrels who have made sure of their prey and have "counted their chickens before they were hatched," will still be doomed to chagrin and disappointment. It may be thought uncharitable to rejoice over the griefs of even the most wicked of conspirators; but even the Almighty has declared that He will "laugh at their calamity and mock when their fear cometh."

The course for the "Mormons" to pursue is clear. Every man must decide for himself whether he can or cannot consistently take the oath required by act of Congress as a qualification for voting, office-holding and jury service. And in doing so he should keep in view the object of the enemies of the People of Utah. To defeat that and maintain the right, preserve the Territory from the grasp of the spoilers, and protect the persons and property of the majority from the ravages of a conscienceless minority, should be the aim of every good citizen and to accomplish that, all should do everything in their power that is both possible and right.

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