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AN EPISTLE OF THE FIRST PRESIDENCY.

To the Church of Jesus Christ of Latter-day Saints in General Conference Assembled:

DEAR BRETHREN AND SISTERS:—Once more, in the providence of the Almighty, we are permitted to address you in an Epistle. It would give us very great pleasure to be able to communicate to you our views orally; but through circumstances with which you are all familiar this gratification is denied us. We rejoice, however, that the privilege of communicating a few of our thoughts in writing is still at our disposal. We have profound feelings of thanksgiving to our God for His goodness and mercy unto His people. Personally we have reason to be very grateful to Him for His preserving care in our behalf.

Zion has been passing through a series of trials which God will undoubtedly overrule for our good. The experience of the past two years and a half has convinced us that there has been a divine providence in all that has taken place, and in the shaping of ordeals to which the Saints have been subjected. Painful as they have been to very many, the day will come when they will be acknowledged as having been the means of bringing great benefits to Zion.

The Twelve Apostles and their Counselors have labored with great efficiency, as far as they have had opportunity, among the people, and have been active in attending to the duties devolving upon them. The health of all has been good. Recent letters from those outside the Territory convey the intelligence that they are enjoying their labors and are successful in the performance thereof. The latest advice from President Woodruff assures us of his good health. Though he is now past 80 years of age, his bodily and mental vigor appear unimpaired.

We ourselves are in the enjoyment of good health, and able to perform our duties with satisfaction to ourselves and pleasure to the people that we enjoy. President Joseph F. Smith's health has been somewhat impaired, but he is now fully restored.

The most gladdening news we can communicate to the Conference of the Church in our Epistle is that from every part of the land which we inhabit, gratifying reports have been received of the zeal and diligence of the people in attending to the duties of their religion. Probably at no time in our history has there been a better disposition manifested by the people to attend their meetings on the Sabbath day, and on fast days, and the prayer meetings which have been held during week day evenings. Meetings have been held at suitable private residences on many of the blocks in the city and country wards throughout these mountains. These have generally been crowded, and have been occupied by the Elders in giving instruction, and by the Saints in bearing testimony and in prayer. All the Elders who have been free to travel who have reported the results of their labors to us, agree in saying that at no time in their experience have the meetings which they have held been so crowded as during the past winter. These evidences of the faith and diligence of the people are exceedingly gratifying to us. We have been cheered in listening to them; for we know that when the Latter-day Saints repent of their sins and devote themselves assiduously to keeping the commandments of God, their enemies cannot have much power over them.

As a people, in times past we have been careless and indifferent in many directions. Neglect of duties has been too common everywhere. Hypocrisy has been indulged in to some extent, and a laxity has prevailed in many quarters concerning the keeping of the laws of God which is not in accord with the spirit of the Gospel. Under these circumstances the Lord has permitted persecutions and trials to come upon His people that have had the effect of stirring them up to greater diligence. When the Lord, for any reason, turns His face away from His people, and is slow to hear their cries, thorough repentance on their part and a complete abandonment of their evil ways are sure to bring back His favor, and to cause His countenance to shine upon them. This has been the case in every age when God has had a people upon the earth. In our own day we have seen frequent illustrations of this. We have never feared for the people,

nor for the prosperity of the work, when the Latter-day Saints have been fully alive to the duties and requirements of their religion. But when they have been careless and neglectful, or disobedient and hard in their hearts, then we have trembled; for when the Saints are in such a condition the displeasure of the Lord is sure to be awakened against them, and His scourges are likely to fall upon them. The Lord does not permit His enemies, nor the enemies of His people, to prevail over them for any length of time when they are living near unto Him and complying strictly with His will. All His promises, of the brightest and most glorious character, encouraging and hopeful, are given to those who keep His commandments and who seek earnestly to carry out in their lives the principles of salvation which He has revealed. When a people are in this condition their enemies cannot have much power over them.

We attribute the failure on the part of our enemies to accomplish their wicked purposes during the last session of Congress to the fact that the Saints were more true to their professions, and were offering up, in sincere humility and faith, their petitions to the God of heaven for His interposition in their behalf. When we consider the character of the measures which were framed in the first place, and which it was the evident purpose of our enemies to force through and make law, it is clearly to be seen that our Father in heaven has restrained the efforts of the wicked and defeated them in their iniquitous designs. For a while it seemed inevitable that every liberty would be wrested from us, and that we should be brought into subjection to a most odious tyranny and be stripped of every right which belongs to free men. And though the measures which have been enacted are odious to the principles of true republicanism, still our enemies are disappointed in their schemes and feel that they have been defeated; while the Saints rejoice in the goodness of God, and feel assured that by His help and their continued faithfulness in keeping His commandments and relying upon Him, they will be able to endure, with patience and without grievous loss, all that the enemies of His Kingdom shall have power to bring upon them.

It is of the utmost importance that the teachings which have heretofore been given to the officers of the Church, and which it is not necessary to repeat at length here, should be kept in mind and carried out in the spirit in which they were given. Great responsibility rests at the present time upon those Elders who have liberty of action, and they should be entering in their efforts to magnify their Priesthood and to do everything possible towards building up and strengthening the Saints in the practice of those holy principles which God has revealed. Much depends in these days of trial upon those who bear the Lesser Priesthood. They have opportunities which are of unequalled advantage. They visit, or should visit, the people at their homes. They talk to them by their firesides. They can see their inner lives, and learn wherein they need strengthening and guiding, in order to be more efficient Latter-day Saints.

When Priests and Teachers understand their duties and seek to enjoy the spirit of their offices, they can do an immense amount of good; for they are brought directly in contact with the people; they learn their wants, are made familiar with their weaknesses, and are in a position to check the growth of evil tendencies in parents and in children. There is, in many instances, doubtless, too much formality in the character of these visits—a disposition to drop into routine and to ask stereotyped questions, without conversing in a way to bring out the real feelings and spirit of the households which they visit. Visits of this character are comparatively barren of results. To make them as productive of good as they should be, live, active men should be used as Priests and Teachers. The best ability in the various wards can find ample field for usefulness in performing these duties. Young men who have not had experience should be associated with those who have had experience, and they should be impressed with the importance of seeking for the spirit of God to rest upon them in power, to dictate to them the very things that should be said to the family which they visit. The teachings which might be appropriate to one family, and be the very instruction which they might need, would not perhaps be so suitable for another family. Therefore, the necessity of having the guidance of the Spirit of God is apparent.

There is a tendency, almost amounting to an epidemic in some places, among the young people to indulge in cigarette smoking. The habit is filthy, unhealthy, and pernicious generally. God has spoken so plainly on this subject that there is no room to question the impropriety of this practice. The Teachers should make it their especial business, in all kindness and in a mild, instructive spirit, to reason and remonstrate with young people upon this habit. Every effort should be made to check its growth amongst us. The habit also, which some young people fall into, of using vulgarity and profanity, is one which should receive the attention of Teachers. This practice is not only offensive to all well-bred persons, but it is a gross sin in the sight of God, and should not exist among the children of the Latter-day Saints.

At the Priesthood meetings of Wards, Bishops and Counselors and other experienced Elders can do great good to the young men by imparting to them instruction upon these points and giving them explanations concerning questions which they may be asked upon the live issues and topics of the hour. There is a body of young men growing up in Zion, who, if taught as they should be, can be made most efficient in building up the Church and in strengthening its members against the various temptations to do wrong to which they are exposed. These young men are generally full of zeal and energy and good desires, and only need to be directed aright to accomplish immense results.

Connected with our temporal labors there is probably no point of more importance than the providing of employment for our people. The spirit of the Gospel of the Lord Jesus Christ is opposed to idleness. We do not believe that a man who has that spirit can rest content if he is not busily employed. There are many who come from other parts who have been accustomed to following branches of trade at which they cannot find employment here. There are a great many young men and young women growing up also, who do not have the necessary experience or knowledge to employ themselves. These cases should receive the attention and consideration of the Bishops and Presidents and other officers of the Church. We should aim to create industries at which the people can find employment. If all who have the influence of position, or the power that the control of means gives, would keep this subject constantly before them and work unitedly in the proper direction, a great many industries might be started in this Territory that would result in profit to their founders and give fixed employment to many who are now in want of it. In every Ward or Stake where there are opportunities of this character, judicious men should be selected to take the direction of such affairs and to make wise investments, so that discouragement will not follow through the loss of means or the unskillful handling of the business.

From the day of the organization of the Church of Jesus Christ of Latter-day Saints, the adversary of souls has stirred up the wicked to accomplish its destruction. Various agencies have been employed to effect this purpose. Falsehood, tradition, deep-rooted prejudice, the learning, wealth and power of Christendom, mob violence, fire, fetters, the rifle and the sword, wholesale expulsion and military force having been tried in vain, a new crusade has been inaugurated in the form of legislative and judicial tyranny, prompted by Satan and carried on by cunning adventurers and reckless fanatics. Perhaps the most shameful and unrepentant attempt of this character was the latest scheme devised by the local conspirators. What is known as the Edmunds law—the act of March 22nd, 1882—was hoped to be broad enough in its intended scope to secure the political control of the Territory to the anti-Mormon voters. A large number of both sexes were by that act deprived of the franchise. That it did not wrench the control of the Territory out of the hands of the majority of its residents, is not to be credited to the absence of such a wish and design on the part of its authors and promoters, but to the overruling providence of the Almighty. The ground which those who favored this measure seemed to take was, that it was both praiseworthy and justifiable to violate the soundest political principles, and even the Constitution itself, to take the political control of the Territory of Utah from the "Mormon" majority and concentrate it in the hands of the anti-Mormon minority. Having gone thus far to accomplish this end, it was scarcely to be expected they would hesitate to make other and more outrageous attempts, when they found that the Edmunds law had not answered the full purpose for which it was intended. It appears to be one of the effects which follow a departure from sound republican and constitutional principles like the enactment of such a strange piece of legislation as the Edmunds law, that every future attempt in the same direction will be more regardless of the settled principles of political liberty than its predecessor. The Edmunds law, instead of appeasing the anti-Mormon appetite for power, only whetted it. The success of its promoters in securing its passage, and the results which have followed, emboldened them to make the most extraordinary demands upon Congress for further legislation. Emigrants from Salt Lake City were employed and sent to Washington, sustained by funds levied upon and collected from the non-Mormon population of the Territory, to secure the passage of a law which would bind the "Mormon" people hand and foot, and leave them, their liberties, their property and all that makes life valuable and desirable, at the feet of their deadly enemies. They did not appear to doubt that their demands for legislation of this character against us would meet with ready acceptance on the part of the National Legislature and the public generally.

On the first day of the first session of the Forty-ninth Congress, Senator Edmunds introduced a bill (numbered 10 on the Senate calendar) which contained shameful unrepentant features, the evident purpose of which was to entirely destroy all the liberties of the majority of the people of Utah. There were a few Senators who stood up

manfully and resisted the passage of this measure as an attack upon religious liberty; but their protests and arguments were in vain. The bill passed the Senate and was sent to the House. It was ably discussed before the Judiciary Committee of the House by our friends, and everything was done that was possible to enlighten that committee concerning the affairs of Utah and the conspiracy which existed here to obtain the political control of the Territory. A new bill was reported by the chairman of that committee, as a substitute for the Senate bill, and the provisions of the new bill were found to be equally objectionable with the bill for which it was a substitute. The measure was modified and changed by wiser and more conservative legislators, in spite of the efforts of those who inspired it—a result which we view as due to the overruling power of Providence and the reluctance of some reasonable public men to sanction a measure so utterly subversive as this was of the rights of citizens. An agreement was reached by the Conference Committee, composed of members of the Senate and of the House, and in its amended form the bill was reported to both houses, and passed without alteration. It finally became law, without the signature of the President. In its original form the palpable intention was to destroy the Church.

It is generally admitted that no such law was ever enacted in this country before; and to find its parallel one must search the records of medieval times, when men's ideas of liberty were confined to such grants as despotic governments and rulers reluctantly chose to give them. The provisions interfering with the property of the Church, and looking to the escheating or other disposition of its funds in a manner contrary to the intention of the donors, are in violation of ecclesiastical rights and in the nature of confiscation and spoliation.

The disfranchisement of all the women voters, without cause and without even the allegation of crime against them, is an arbitrary exercise of despotic power without parallel in republican history. No reasonable excuse can be offered for such an invasion of political rights exercised without hindrance for seventeen years; and the vain pretence of the enemies of the Latter-day Saints that they wish to rescue the women of Utah from bondage has, by this outrage upon freedom, been effectually silenced forever. Taken with other portions of the law it betrays an attempt to pave the way for the domination of the majority by the minority, because the former is composed of members of an unpopular Church. It should be the purpose of good citizens and faithful Latter-day Saints to maintain the liberties which are dear to every citizen, by all legal and consistent means within their power. And while many of the men and women who, with Divine assistance, opened this region to human occupation and fitted it for civilized existence, are arbitrarily deprived of any personal participation in its government, it becomes the duty as well as the privilege of those who can do so under the operation of unjustly discriminating laws, to stand up manfully and use all diligence, and vigilance in the retention and prevalence of the local rule of the local majority. In thus sustaining the right and assisting in the prevention of wrong, they will have the blessings of a just God and the approval of an enlightened conscience.

A redeeming feature of the new law is the exemption of wives who are viewed as legal from testifying against their husbands in cases arising under the Edmunds act. This and the decision of the Supreme Court of the United States condemning the segregation system, by which the extreme penalties imposed by law were unlawfully multiplied upon "Mormon" defendants, are cutting rebukes to the Utah Courts and District Attorney, for their excesses and malice in pursuing persons acting under the strongest religious convictions. The relief thus afforded to many subjects of judicial persecution would doubtless be considerably extended, if other extreme rulings of the Utah Courts were reviewed by the highest tribunal of the land.

As to whether the Church is a corporation, grave doubts are entertained. This is a question yet to be determined. But if it should be decided that it is a corporation, is it possible that after a Territory has granted a charter of incorporation, and Congress has for long years permitted the Territorial act to stand unchallenged and unquestioned, the latter body can now revoke the charter and appropriate the proceeds of the property to such uses as the majority of Congress may designate? If this be possible, well may we, with all the people of the Territories, ask: Are we living under a government of law, or are we and all our rights as freemen subject only to the whim and caprice of Congress?

The Supreme Court of the United States, in 19 Howard, page 449, said: "The power of Congress over the person and property of a citizen can never be a mere discretionary power under our Constitution and form of government. The powers of the government and the rights and privileges of the citizen are regulated and plainly defined by the Constitution itself, and when a Territory becomes a part of the United States, the Federal Government enters into possession in the character impressed upon it by those who created it. It enters upon it with its powers

over the citizen strictly defined and limited by the Constitution from which it derives its own existence, and by virtue of which alone it continues to exist as a government and sovereignty. It has no power of any kind beyond it, and it cannot when it enters a Territory of the United States put off its character, and assume discretionary or despotic powers which the Constitution has denied to it. It cannot create for itself a new character separate from the citizens of the United States, and the duties it owes to them under the provisions of the Constitution."

To appropriate the property of a private corporation by saying that all beyond a certain value shall escheat to the Government is an act worthy of the dark ages when the rights of the state to such property was maintained by feudal theories. In latter days the more equitable doctrine prevails, even when corporations are dissolved for violation of law, that the property of the defunct corporation goes to the corporators.

As has been well said by the court in the case of Wilkinson vs. Leland, (3 Peters 65) in dealing with the question of taking the property of one and giving it to another, without judicial inquiry and by legislative enactment: "That government can scarcely be deemed free, where the rights of property are left solely dependent upon the will of the legislative body, without any restraint. The fundamental maxim of all free governments seems to require that the rights of personal liberty and of private property should be held sacred."

A different doctrine is utterly inconsistent with the great and fundamental principles of a republican government and with the right of the citizens to the free enjoyment of their property lawfully acquired."

In a case which was appealed to the United States Supreme Court, (Terrett vs. Taylor, 9 Cranch,) which involved church property, that the Legislature of the State of Virginia had undertaken to take from the corporations holding it and turn over to trustees, as this law attempts to do, Judge Story said: "But the property was, in fact and in law, generally purchased by the parishioners or acquired by benefaction of private donors. The title thereto was indefeasibly vested in the churches, or rather in their legal agents. It was not in the power of the crown to seize or assume it, nor of the Parliament itself to destroy the grants, unless by the exercise of a power the most arbitrary, oppressive, and unjust, and endured only because it could not be resisted. It was not forfeited, for the churches had committed no offense. The dissolution of the legal government no more destroyed the right to possess or enjoy the property than did the right of any other corporation or individual to his or its own property."

We think ourselves standing upon the principles of natural justice, upon the fundamental laws of every free government, upon the spirit and letter of the Constitution of the United States, and upon the decision of the most respectable judicial tribunals, in resisting such doctrine."

It seems to plain men that this new law, in its attempt to seize and dispose of our property, lawfully acquired, is in direct conflict with the provision of the Constitution which declares that "no person shall be deprived of life, liberty or property without due process of law." A well known writer has said: "They have first of all to remove very stubborn prejudice which has been confirmed by immemorial usage that what a person honestly acquires and legally possesses is his own and not another's."

Probably no portion of this law has received so much attention since its passage as the section containing what is known as the "test oath." In municipal election at Brigham City immediately after the bill became law and the pressing necessity for a decision on the part of those who were eligible to vote in order that they might register, forced this point in the law into immediate prominence. Our enemies have circulated the most atrocious falsehoods, accusing our people of resorting to perjury when by so doing they could shield themselves from punishment; but we knew better than they that in making these charges they were uttering a libelous untruth. The proof of the falsity has been witnessed in the Federal Courts every day during the past thirty months, when Latter-day Saints were being tried for taking care of and acknowledging their wives and children, and refused to give the promise which the courts endeavored to extract from them under an assurance that they would only make it—which they were told they might easily, do—they should be permitted to go unpunished.

Having tender consciences upon the subject of saying, or doing anything that would have even the appearance of relinquishing any principle of their religion, our people have carefully examined this oath and fully weighed the effect the taking of it would have upon themselves, their children and the world at large. Understanding fully, therefore, all its consequences, they who can do so have generally resolved to take the oath. But their willingness to do so does not divest it of its enormity or unconstitutional character. The rule of law is that a man is presumed innocent of offenses and of the intention to commit offenses until he is proven guilty. But by this law it is presumed that the citizens of this Territory are disposed to violate the law and they must therefore rebut the presumption by taking the oath! If the oath was expunged from