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IS THE EDMUNDS LAW A FAILURE?

It may not be just to hold the present administration responsible for the failure to properly adjust the Mormon problem, but as in a certain sense success or failure must be placed somewhere, credit given when success is achieved, and blame laid when failure results, it is difficult to see how the present administration will escape the censure which public opinion will visit upon it, for the now very evident failure of Senator Edmunds' pet scheme. When that scheme was devised, in utter disregard for constitutional restraints or authority, the able and astute Senator from Vermont promised the country that the Mormon fabric would fall to pieces and the civilization of the age assert itself with great rapidity. Senator Edmunds and his Puritan brethren in Congress were very sanguine of the success of the measure, and they congratulated themselves and the country, that they had found a panacea for the ills with which the body politic was afflicted by reason of the Mormon malady. But the deeply laid scheme has failed to produce that healthy reaction which the Senator promised; indeed it seems to have aggravated the disease. The learned and valuable researches made by the Senator in the fields of human endeavor, have signally failed to show such gratifying results as the country had expected from so great a sacrifice of constitutional authority. Instead of worrying the Mormons and forcing them to abandon the "twin relic of barbarism" with all that it implies, the followers of the sainted prophet continue to act as a unit in defense of the peculiar tenets, and the polygamous wives adhere closely to the fortunes of their much married husbands. And this too in the face of the fact that the prohibitory legislation devised and set on foot, was intended to dissipate and utterly scatter such pernicious practices and doctrines. Not a month ago an election was held in Utah, and as the franchise there includes the women, the Mormons won a signal and decisive victory. No excuses or explanations will break the forces of this fact. There is no dearth of explanation as to how this was accomplished, but no explanations will relieve the projectors of this much-vaunted system of the acknowledged fact that it has been a failure, and that the Mormon power is as much of a power as it ever was, and under present appearances likely to remain so. To say that the Mormons voted as they were directed by the church, is an excuse more dangerous than the frank admission of the fact without explanation. This would indicate that the church is possessed of wonderful power both over the acts as well as the consciences of its followers, and may serve to show to Senator Edmunds how futile was the idea that Congress could abolish the church and its teachings by the passage of an act.

Without assuming to question either the wisdom or judgment of Senator Edmunds and his philanthropic brethren in Congress, it does seem ask there had been a total lack of common sense in dealing with the Mormon problem. The Senate should know, and possibly does know, that sects thrive by persecution, and this case evidently has no exception. Perhaps after all, if left to itself, the problem will work out its own solution, and it may be best to let time work out this much needed reform. It is plain that Congressional enactment will not hurry the matter, it is doubtful whether it will not retard or delay. The advancing civilization must force it to close quarters, and the march of better methods and nobler aspiration must in time antagonize and destroy it. If the course of empire westward does not engulf this plague spot of moral wickedness, there is

no use trying to root it out by benevolent methods, or even by public legislation. It will give way to the resistless progress of commerce and immigration, for soon its field of activity will be overrun and trampled upon, and as its converts are not gained from Americans, it will be outvoted, and outmatched and its doom be sealed. This seems to be the only remedy left, for no harsh means can be employed, and this seems the easy and natural way of dealing with it.

The foregoing dispassionate article on a question which usually arouses so much passion that most editors lose their common sense in dilating upon it adversely, appears in *The American Register*, a very able weekly journal published at Washington, D. C., in which the principles of democratic government are discussed with uncommon force and clearness. There are some mistakes in the article, which might be reasonably expected, because there is no subject about which journalists say so much while understanding so little as this same "Mormon" question.

The failure of the Edmunds law seems to be generally admitted. It is alleged by Democrats and confessed by Republicans. And yet the common opinion on the results of that peculiar piece of special legislation is entirely wrong, unless the object had in view in its enactment was something greater and different from that specified in its provisions.

We would like some of the papers which are croaking over the failure of the Edmunds law to define what it was expected to accomplish in less than eighteen months after its passage. The principal end in view, if we may judge from the language of the law, was the disfranchisement and exclusion from office of persons in Utah living in the practice of polygamy.

It was for this that the election and registration offices of this Territory were vacated. It was for this that five Commissioners were provided for to appoint "proper persons" to fill the vacated offices. It was for this that so much care was exercised in arrangements for the election of members of the Utah Legislature. It was for this that the Commissioners went beyond the powers specified in the law and assumed authority which if it was contemplated was certainly not expressed. It was for this that they formulated a test oath which no person could take who had ever been in the practice of plurality of wives. It was for this that they excluded all citizens from the polls who cohabited with more than one woman "in the marriage relation," while they admitted persons who cohabited with any number of women and women who cohabited with any number of men, provided it was done out of the marriage relation.

This object has been accomplished. How then can the bill be regarded as a failure? The complaint seems to be that "Mormons" voted in such numbers at the recent election as to carry all before them. Well, did the Edmunds law propose to prevent non-polygamous "Mormons" from voting? Certainly not. It provided to the contrary. It was intended to protect all "Mormons" in the exercise of the elective franchise who had not entered into the practice of polygamy. Here is the language of the law.

"Provided, That said board of five persons shall not exclude any person otherwise eligible to vote from the polls on account of any opinion such person may entertain on the subject of bigamy or polygamy, nor shall they refuse to count any such vote on account of the opinion of the person casting it on the subject of bigamy or polygamy."

The object is plainly indicated. That is, to cast a stigma on practical polygamists and encourage "Mormon" monogamists. The Act was not designed to disfranchise people or disqualify them for holding office on account of belief. Who but a blind bigot or a rash and radical revolutionist would desire that any such measure should prevail as would destroy, in any part of this Republic, the sacred right of free opinion? The "Mormons," then, who did not actually practice polygamy were as free to vote as the non-"Mormons." They were allowed to exercise equal political privileges with libertines and prostitutes.

But this seems to have been too lenient to suit some of the pious so-called "Christians" of this land of liberty. Because any of the "Mor-

mons" were permitted to vote in regard to the local officers for the transaction of their affairs, and the people of this Territory were not handed overbag and baggage into the political control of a minority not equaling one-fifth of the voting population, many persons and among them some of the journalistic moulders of public opinion affect to be scandalized and they loudly proclaim the Edmunds law a failure. They are very inconsistent and they have fallen into a very grave error. Even the close reasoning *American Register* speaks of the result of the election as serving "to show to Senator Edmunds how futile was the idea that Congress could abolish the church and its teachings by the passage of an act."

Now, there is no indication in the Edmunds law that such an object was held in view. What has Congress to do with abolishing a church or interfering with its teachings? Senator Edmunds, much as he strained the Constitution and resorted to measures that cannot be fairly defended in the light of that sacred instrument, knew better than to attempt such a palpable impossibility. The only reference in his enactment to the "Mormon" Church is in Section Seven, which legitimates up to January 1, 1883, the issue of bigamous or polygamous marriages "solemnized according to the Mormon sect."

But this appears to be the "consummation devoutly to be wished," which the Edmunds law did not bring about, and the failure to accomplish which is the cause of the great complaints against it. The *Register* is so far right. Congress cannot destroy the Church nor abolish its teachings by law. Those who have looked for such an effect from the Edmunds Act have naturally been disappointed. It did not aim at such an end. That which it chiefly provided for has been effected. Indeed a great deal more has been done than it provided for. The Commissioners have not only done everything which the law authorized them to do, but much more, in their zeal and determination to perform their part of the work set out. They not only arranged matters and enacted rules and regulations for the disfranchisement of actual polygamists, but carried the business to the extent of shutting out from the polls and from holding office men and women who are not now practical polygamists, and some who never entered into plural family relations since the passage of any law of Congress against it; thus stretching the provisions of the Edmunds law far beyond their legitimate limit, and making them unjust, retro-active, ex-post-facto, and therefore unconstitutional.

To find fault with the law as a failure is therefore unreasonable and childish, and to rail against the Commissioners for not accomplishing more is mulish and absurd. The difficulty is, there is not an editor in ten who is grumbling about the Edmunds Act that really understands its provisions; and there is not one in a hundred who comprehends the real situation in Utah. The *Register* says concerning the Church that "its converts are not gained from Americans," which is a great mistake, and it talks about Utah as "the plague spot of moral wickedness," when it is infinitely superior in morality and all the virtues that tend to make up good society, to any other part of this nation that boasts so much of its "Christian" enlightenment. But in the main the *Register* is right, and if those agencies which in their very nature have the greatest power over erratic notions and practices cannot march over or uproot "Mormonism," then it is because the system called by that name is different to what is generally supposed and is superior to its moral antagonists. In any case special legislation is the wrong remedy to apply to the alleged disease, and force will utterly fail in effecting the destruction of that which lies in the convictions of the soul and which cannot be reached by any of the methods of violence.

PARTY IN HONOR OF BELLE HARRIS.

LAST evening a number of friends met at the residence of A. M. Musser, Esq., in the First Ward, to manifest their regard and esteem for Sister Belle Harris, after her release from imprisonment in the penitentiary and previous to her departure for the south on her way home. A

large number of ladies and several gentlemen were present and expressed their congratulations to the honored guest and their admiration of the quiet firmness she has displayed in support of principle. The Sixteenth Ward brass band, led by Capt. Emery, came upon the scene in Gen. Clawson's fine band wagon, the "Julia Dean," and treated the lady to a fine serenade. They subsequently entered the grounds and performed some selections by torchlight in excellent style, and felt well rewarded for their music and trouble by a hearty handshake from Belle Harris. An ample repast was spread, of which all present partook, and kindly wishes were expressed for the future prosperity of the released prisoner and her baby son, who shared her confinement.

The following lines were recited by the author:

BELLE HARRIS' BABY.

Just let me take the baby
A moment in my arms,
The little one, around whose life
Hath swept such rude alarms;
But oft not even the canyon's storms
The lily's stem doth break,
So God did temper storms that rose,
For His own lamb's dear sake.

Just venturing from realms above,
He met this stern decree.
What had the baby done, dear friends,
A prisoner to be?
So, like a lily in the shade,
Among those named as vile,
He changed the prison's wicked gloom
With his sweet baby smile.

Did troubled dreams steal o'er his sleep
While faces dark were nigh?
No, on his lovely mother's breast
And angels watching by,
He calmly rested, while the days
God measured out went on:
So light the yoke of heaven pressed,
He missed it not when gone.

Thou fairest, little prisoner
That Deseret hath known,
A people's faith and love were thine,
They claim thee part their own.
Live on and bless her noble heart
Who dared to stand alone,
And rise from prison steps to those
Of a celestial throne.

AUGUSTA JOYCE CROCH

Salt Lake City, Sept. 2, 1883.

There was a general desire among the company that something more substantial and of greater magnitude than anything yet done for Belle Harris, should be obtained, as it must be evident to all who have studied her case that she has stood up nobly for the rights of her sex, and has never shrunk from the trials of her position, even when threatened with a life-long imprisonment. She left the city today with her father and her child at 3.05 p.m., per Utah Central train, for Milford, where a team is waiting to convey them to their home in Sevier County. The party was a very pleasant affair, and Bro. Musser and his amiable family were constant and watchful in their care for the comfort and enjoyment of the visitors.

THAT DESPERADO.

MORE DETAILS OF THE DOINGS OF JOHN SMITH.

We have given some accounts of the daring exploits of a desperado in Cache County, and as he has created a good deal of interest we give more elaborate details from the *Utah Journal* of yesterday:

On Sunday morning at about three o'clock as a long freight train was slowly ascending a grade just south of Richmond, it was boarded by a single individual, who entered the caboose with a revolver in each hand. Eight men were in the car, some of them asleep. The stranger commanded all the men in the car to sit close together on one side of it. He was meekly obeyed. He then pressed the muzzle of one of his revolvers against the side of the first man he came to, placed the other pistol in his pocket, and ordered his victim to disgorge his watch and money. Again he was meekly obeyed. He then ordered his victim to the other end of the car. The victim did so. This was deliberately repeated eight times. When the robber had finished his eighth victim, he backed to the door of the car with both revolvers presented, stepped out on the platform, and as he leaped to the ground he gave a yell and fired a shot. He had bagged three watches, and about \$60 in cash.

FURTHER PARTICULARS.

of the affair are furnished by our

valued correspondent, Revere, writing from Richmond, Sept. 4th:

His nerve was very steady when he first entered the car; but he became unnerved before he got through and left some of the party not more than half-alarmed.

ONE PASSENGER.

a gentleman from Brigham City got off by losing his jack-knife. He had some money in the other pocket but to the query if that was all he had he replied, "Yes," and his interviewer took his word for it. The gentleman was bound for Richmond but was too badly frightened to stop, so he went on to Battle Creek.

On Sunday morning Sheriff Crookston called upon our city marshal and started some men out searching for the robber. They discovered evidences of his having been near in the shape of an old pocket book which he had emptied of its contents and threw on the ground.

In the evening a party of men made arrangements to

WATCH FOR THE THIEF.

and at about eight o'clock p.m. rum and Frank Bair were going towards the railroad when they saw some one walking along the track, having evidently been up in town. They called to him to stop. He replied "Not much," when Mr. Bair fired. The robber returned the shot and Frank Bair tried his hand, making three shots that were fired but none took effect and the band made his escape in the darkness. He ran into the brush on city near the railroad track. The men then

SHOUTED FOR ASSISTANCE.

and in a short time a large crowd had gathered. They placed guards at different points and had the place well guarded until about one o'clock when they, or the most of them, left and came up home having seen nothing of their man. Another search was begun early Monday morning, and tracks were seen crossing a piece of farm land near the railroad. Following the tracks for short distance a silver watch picked up, and the tracks were followed across the railroad and through more farm land, until they went into the meadows, bearing toward Cub River, where all trace of him was lost.

CAPTURED.

Yesterday at about 11 a.m. a stranger called at a farm house at High Creek, a mile and a half north of Richmond, and asked for food. The man of the house was but the lady placed food on a table and the stranger satisfied his appetite. The lady had her suspicions, and as soon as the stranger left, she told a man who lived near that she believed that her guest was the train robber. The man proceeded to Richmond and notified Marshal John Richardson who, accompanied by Hyrum Bair and several other men, proceeded to High Creek. The lady pointed in the direction taken by the stranger, and the posse followed until they came to some brush. Convinced that their man was concealed in the brush, they proceeded with great caution, search, and at length came upon him, lying flat on his stomach, concealed in the brush, and apparently asleep. Members of the posse covered him with their firearms before he knew they were near, and he was easily secured.

Sheriff Crookston, in response to a dispatch, went to Richmond where he met the prisoner and his captors in company with several others who had aided in the search and capture, among whom was Sheriff Loveland, Sheriff Crookston to Logan with the prisoner. He maintained that his name was John Smith, and he talks freely of the train robbery, and of others of his exploits of a similar character. He was kept in the city jail strongly guarded last night, and will have a hearing before Justice Combs today.

Our Western people are liable to be laid low, by malarial fever, when breaking up new lands. The folks in the East are also complaining of fevers, chills and agues, arising from decaying vegetable matter and imperfect drainage. For either East or West the best remedy is Ayer's Ague Cure.

HORSFORD'S ACID PHOSPHATE.
In Scatichness.

S. S. Parker, Wellington, O., says: "While crossing Lake Erie, I gave it to some passengers who were seasick, and it gave immediate relief."