

DESERET NEWS: WEEKLY.

TRUTH AND LIBERTY.

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CHARLES W. PENROSE, EDITOR.

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A DETERMINED CONVERT.

It is supposed by persons not blest with a knowledge of the facts, and reported by some who are not ignorant but desire to pervert the truth, that "Mormon" missionaries are engaged abroad in the work of hunting up and entrapping foolish souls to swell the number of the Utah fold. We have repeatedly corrected this notion and explained that our Elders are sent abroad to preach the Gospel and administer its ordinances to repentant believers, the work of the gathering being a consequence of making converts to the principles of the Gospel. We clip the following from a letter by Elder Joseph A. West, now on a mission in England, written to the Ogden Herald, as an illustration of the manner in which the Gospel is sought after by those who have been influenced by its spirit, and of the energy and zeal which it infuses into the souls of believers. Brother West says:

Two weeks ago last Sunday, an old gentleman between 60 and 70 years of age, applied to us for baptism, stating that he had come all the way from Ramsgate on foot, a distance (as I afterwards learned) of 86 miles. We were not able to attend to it just then, but informed him that we would do so just as soon as possible, and in the meantime, would let him know when and where. On the following Tuesday Elder Nye called to see him, but as he had changed his lodging without leaving his address, he could not be found. A few days later, he called upon one of the Saints, from whom he learned that we were intending to hold meetings at Faversham on the following Sunday, and as this was on his way home he determined to meet us there. Unfortunately for him we did not go, future circumstances requiring the postponement of our visit for another week. After attending the meeting of the Saints at Faversham he continued his journey homeward. Being subsequently made acquainted with all the circumstances I wrote him to say that I would positively be at Faversham on the 23rd inst., and in a few days afterwards, finding that I would have time, I again wrote him, offering to go to Ramsgate and baptize him there. My first message was received by him, but not my last, and to my great surprise, the old gentleman made his appearance at Faversham on Sunday last, having walked the entire distance (34 miles) in one day and a half. In the evening we took a walk into the country about two miles to a sequestered spot, where I baptized him, and next morning, bright and early, he started on foot for his home, with a heart full of gratitude to God for the ultimate privilege afforded him, although by a concatenation of unfortunate circumstances he had been compelled to walk a distance of over 240 miles to obtain it.

THE UTAH COMMISSION ON THEIR WAY.

Two press dispatches dated August 15 have been received from Omaha in relation to the Utah Commissioners. The first states that all the members of the Commission met in that city on the 15th; the second says they arrived there the day before, with the exception of "Ex-Congressman Pettigrew, of Kansas, who was expected in the morning;" also that they would leave at noon. If they left for Salt Lake at noon Tuesday they will probably reach here Thursday night. The following remarks are added in the dispatches:

"They will have charge of Utah election and will remain until some time in November, and carry out their special work. The first thing is to attend to the registration for which they will appoint registers,

They will receive and canvass the votes and issue certificates of election. One of their most important duties is to disfranchise all known polygamists from voting and holding office. The election of Delegate to Congress comes off before the people this fall and this is followed by the election of a legislature.

They express themselves as ready to carry out the law, but are unable to say until they have had a consultation how they will enforce its provisions. They will supervise elections and remain till November."

What the average press dispatcher does not know about Utah affairs would fill a great many large volumes. The election for Delegate to Congress should take place in November, but there can be no election for a Legislature until next year. The Commission is not clothed with any power to call an election, or to do anything in relation to elections except as provided in the laws of Utah and of the United States. Under existing statutes of Congress and of the Territory there is no means provided for the holding of a general election until the first Monday in August 1883.

If the Commissioners are coming, as intimated, "to carry out their special work" and will "stay till November," the Delegate election can take place as provided by law and as it ought to do, there being no valid reason why the necessary revision of the registration lists should not be effected, the election officers appointed and the election conducted at the regular time. Utah should not be left without at least such representation in Congress as is permitted in the limited liberty accorded to it under the anomalous territorial system.

"One of the most important duties" of the Commissioners defined by the press dispatcher has no existence in the law. The enactment which created their office confers no power upon them to "disfranchise all known polygamists" or anybody else. They have no authority in the premises but that which is defined in the law providing for their appointment. Their powers are explicitly stated. We do not think they will attempt to step beyond the limits marked out for them. In the discharge of their onerous duties they will find ample opportunities for the exercise of sound judgment and discretion, and it is not probable that they will load themselves down with responsibilities which the law does not impose upon them.

If persons who are anxious for something very radical and revolutionary to take place in Utah would read the laws which bear on the situation, they might save themselves some disappointment in the realization of their expectations of what certain officials will do. If they have not the time or inclination for that, they had better let the officers ascertain their powers and duties themselves, without any gratuitous promptings from uninformed and inflammatory partisans.

WHAT A POLYGAMIST IS.

POLYGAMIST—A person who practices polygamy, or maintains its lawfulness.—Webster's Dictionary.

"No polygamist or bigamist," male or female, "shall be entitled to vote or be eligible for election or appointment or be entitled to hold any office or place of public trust, honor or emolument in, under or for any Territory or place."—Edmunds Bill.

"Perhaps the Church organ, which maintains the lawfulness of polygamy, can tell us how many so-called monogamous Mormons would be affected by the Edmunds bill and Webster's interpretation of polygamy.—Ogden Pilot.

It is not often that we pay any attention to the feeble piping of the "Liberal" organette of the junction city. We do so now because it affords an opportunity to touch upon a question that is in the minds of some people who are worth taking notice of.

The question "What is a polygamist?" may be answered variously. A proper reply depends altogether upon the sense in which the query is put. The word has an etymological, a popular, a legal and a special signification. Etymologically it means one who has many wives or many husbands. "Polygamy," from which it is derived, is taken from two words signifying "many" and "to marry." In a certain sense the word may be strained to mean one who believes in, maintains or argues for polygamy. But this is not its legal sense and is only allowable for convenience. Popularly the

term is used to designate a man who has more wives than one. Legally, according to Bouvier's Law Dictionary, a recognized authority, it means one who knowing he has two or more wives, or two or more husbands living marries another, and it differs from "bigamist," which term may be applied to one who has more than one wife or more than one husband. According to this, a man with but two wives or a woman with but two husbands is not a polygamist. It takes many wives or many husbands, as the root of the word denotes, to constitute him or her a polygamist.

But the definition of this word is desired as used in the "Edmunds bill" and as applicable to voters under that law. That is its special signification. Webster's definition does not figure in this connection. And this for two good reasons. The law provides a penalty for a certain practice, which it makes a crime, and it gives its own definition of the offence. That definition is ample of itself and can be carried no further. And the law itself provides in so many words that it shall not be construed to exclude any person from the polls "on account of any opinion such person may entertain on the subject of bigamy or polygamy." The number of monogamous "Mormons" affected by the law and the dictionary, therefore, may be figured as 0.

But we will pursue this matter a little further. The Edmunds law provides certain penalties against polygamists. As we have said, the law makes its own definition of that term. What is it?

"Every person who has a husband or wife living who, in a territory or other place over which the United States have exclusive jurisdiction, hereafter marries another, whether married or single, and any man who hereafter simultaneously, or on the same day, marries more than one woman in a territory or other place over which the United States have exclusive jurisdiction, is guilty of polygamy."

The term "polygamist," then, under the Edmunds law and its penalties, that is fine, imprisonment, exclusion from office and from voting, applies only to persons who, after the approval of that law and its signature by the President, have entered into the marital relations which it was enacted to punish and prevent. We have italicized the word "hereafter" to give it due prominence. For the legal answer to the question under consideration we have only to look into this special law and we shall find it circumscribed by very narrow limits, and they exclude the definitions of Webster and Bouvier, popular notions, the excited imaginings of unwise persons and the querulous quibbles of the pompous little interrogation point at Ogden.

WHAT THEY THINK OF HIM.

KEIFER'S re-nomination for Congress has caused some scathing comments on his course, from papers of his own State and party. The Sidney, Ohio, Journal, which is one of a number of papers with similar sentiments, proclaims its belief that a vast amount of money has been used to secure the nomination and says:

"It seems almost incredible that a man should be endorsed by republicans whose inconsistency has put the tinge of shame on the cheek of every honest republican in the land, and whose organization of the committees in the interest of corruptionists and monopolists is a national scandal. His renomination will cost the party in Ohio thousands of votes."

The adjournment of the House of Representatives without the usual vote of thanks to the Speaker, was one of the most cutting rebukes that it was possible to administer to that officer, and Keifer, if his sense of honor is not encased in a tougher hide than that of a rhinoceros, must feel it most acutely. From disclosures since the adjournment, it appears that one of the Democratic members was about to offer the usual motion for a vote of thanks, but desisted on learning that it would be opposed—an event unexampled in that body—and would thus be far more mortifying to Keifer than even silent contempt.

From all quarters come forth denunciations of the unprincipled par-

tizan, through whose unexampled rulings legislation to deprive thousands of people of their inalienable rights, was made possible without deliberation and without a chance for fair examination.

THE UTAH COMMISSION.

THE long-looked for Utah Commissioners have come at last. They arrived on Friday evening by the regular Utah Central express. These gentlemen were appointed by the President and Senate of the United States under the provisions of the Act of Congress commonly called the Edmunds bill. Their names are: Honorables Alex. Ramsay, of Minnesota; A. S. Paddock, of Nebraska; A. B. Carlton, of Indiana; G. L. Godfrey, of Iowa; and J. R. Pettigrew, of Arkansas.

It is perhaps quite as well that the Commissioners delayed their coming until now as if they had hurried away immediately after their appointment. There was at that time so much misunderstanding of their duties and exaggeration of their powers, that whatever course they might have then pursued their action would have caused public dissatisfaction. But the country has had time for reflection, examination of the laws bearing upon their functions, and discrimination between the wishes of fanatics and the requirements of the Act of Congress creating and regulating the Commission.

Even now there are many journals impressed with the idea that these gentlemen are endowed with authority to establish a new government in Utah, make an official assault upon and demolish polygamy, disfranchise and turn out of office persons who may be suspected of being too much married, and perform many other extraordinary and impracticable things. But the extent and boundaries of the powers of the Commission are not difficult of understanding, if people will confine their imagination and pursue their investigations on this subject within the limits of the law.

Their duties are defined in the Act creating the office as follows: They are, first, to appoint officers in this Territory "to perform each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvassing and returning of the same, and the issuing of certificates or other evidence of election." Second, when the next election for members of the Legislative Assembly has taken place, to receive and canvass the returns "and issue certificates of election to those persons who, being eligible for such election, shall appear to have been lawfully elected." Third, to continue in office until the Legislative Assembly so elected shall make provision for filling those election and registration offices for which the commissioners are now authorized to make appointments. When that time arrives the offices of the Commissioners and their appointees will naturally expire.

There is nothing else in the Edmunds act provided for them to do. There is one thing, however, which it is declared they are not to do. It is as follows: "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 question may arise, does not this give them power to regulate all the elections and exclude from the polls persons who are not qualified to vote under the special provision of the Edmunds act? The answer is, no; because their authority to canvass returns and decide upon the question of who has been lawfully elected only extends to the election of members of the Legislative Assembly, and they have no authority whatever in relation to other elections except to appoint the officers aforementioned. Careful reading of the Act will establish the correctness of this beyond reasonable dispute.

All elections in this Territory are still to be conducted under its laws and those of the United States. Regulations, therefore, to govern the registration and election officers who may be appointed by the Commission must be looked for in those laws, and nowhere else. Those

officers must, then, be governed in their official duties by the same provisions that regulated the officers whose places have been vacated by Act of Congress. The registration of voters and the conduct of elections must be proceeded with exactly as before, unless there is some new regulation to be found in the Edmunds Act.

The first election to take place—the August elections having failed—is set for the Tuesday next after the first Monday in November of this year. This is for the office of Delegate to Congress. It is reasonable to suppose that the Commissioners have come for the purpose of making the necessary appointments; that this election may be conducted according to "the existing laws of the United States and of this Territory. It is a question in some minds whether the November election can be held or not. What difficulties lie in the way? None but those which may be manufactured by obstructionists. The first thing necessary is the appointment of registration officers that the list may be revised. This revision is to take place, according to law, during the week commencing on the second Monday in September every second year after 1878. Those who talk about a new registration misunderstand the law or seek to breed confusion. There is no such thing in the statute. Revision is the only thing provided for after the first registration. Every year the registration officers revise the lists by adding new names or erasing old ones for causes specified. An entirely new registration is unauthorized by any law of Utah or of Congress. All the revision that is needful to prepare the lists for the November election can be done this year as in any other year when a Delegate election takes place. The omitted names that should have been added in May or in June according to sections 2 and 3 of the registration act, can be entered upon the lists as provided in section 5. And all names that can lawfully be erased may be excluded from the lists as provided for in section 8. Objection to the right to vote may be heard and determined by the senior justice of the peace in the various precincts, and a list of the disqualified furnished to the Judges of elections, who are authorized to strike the names from the lists.

There is ample provision in the laws for the conduct of the November election, and there is no valid reason why it should not take place if the Commissioners now arrived make the necessary appointments of registration and election officers. The Territories at the best have very limited representation in the National Legislature, and Utah ought not to be deprived for two years of the little representation allowed, as it will be if the election does not take place in November of this year.

We have not written the foregoing by way of any suggestion to the Commissioners; it is for the information of the public. And our object is to protect erroneous impressions that some people, bent on mischief, take pains to make as far as their influence extends. We have no doubt that the gentlemen of the Commission understand their powers and have come here for the purpose of exercising them as defined by the law, nothing less and nothing more.

We do not hesitate to say that we regard some portions of the Edmunds Act as unconstitutional as well as unjust and oppressive. All this will be proven, no doubt, in proper time and in a proper manner. But it must be understood that these Commissioners had nothing to do with the framing of the law nor with their own appointment, as they were not among the hungry host which clamored for the position. They are gentlemen of standing in the country, and we feel assured that they will be treated everywhere in this Territory with the respect and courtesy which is their due. Their position is one of delicacy, requiring discretion and good judgment, and for the possession of these qualities we believe they have been selected by the President. We bid them welcome to the mountains and trust that nothing but good will accrue to them or the people from their sojourn in the Territory of Utah.

THE LAW ON APPOINTMENTS

OUR esteemed contemporary, the Salt Lake Herald, in its issue of this morning contains the following on its local page: