

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - SEPT. 26, 1877

HOW INDICTMENTS ARE PROCURED.

Our readers will remember the case of John Spiers, J. P. of Plain City, who was indicted by the Grand Jury for issuing a warrant for the arrest of a cattle thief, on the ground that, not having his commission from the Governor he was not a *de facto* Justice of the Peace, although he was appointed to the office, and had duly qualified according to law. The case occasioned much comment, as it came up at the same time as the raid upon the ladies of Plain City, several of whom were forced from their homes on a trumped up charge of illegal voting.

It was evident to many who watched the matter, that personal animus prompted the whole prosecution, and those who were acquainted with the local affairs of Plain City were at no loss to discern the source of the attack, and the spleen that occasioned it.

But now comes a resident of that settlement who makes the following affidavit, which we clip from the Ogden Junction of yesterday:

AFFIDAVIT.

Territory of Utah, } ss.
Weber County.

William L. Stewart, being by me duly sworn on his oath, says that he is aged thirty years; that he resides at Plain City, Weber County, Utah Territory; that he knows one Moroni Skeen, who resides at that place; that the said Moroni Skeen was a member of the Grand Jury empaneled by the United States District Court for the Third Judicial District of the Territory of Utah during the last summer; that he, Skeen, was a member of said Grand Jury at the time the indictment was found against one John Spiers, of said Plain City. That on the 14th day of August, A. D., 1877, at the City of Ogden, in the County of Weber, in said Territory, he was in company with the said Moroni Skeen aforesaid; that the said Moroni Skeen told this affiant at the above mentioned time and place that he would use his influence as a private citizen and as a member of the grand jury to crush John Spiers, (meaning the aforesaid John Spiers) at the same time striking his hand upon his knee, saying that he would use his influence, "so help me, God." During all the conversation he said Skeen manifested a strong animosity and bitterness of feeling against the said John Spiers aforesaid; And further affiant saith not.

WM. L. STEWART.

Subscribed and sworn to before me this 18th day of Sept. 1877.

[L.S.] CHAS. H. BENEDICT,

Notary Public,
Weber Co., U. T.

This matter is worthy of investigation. Grand jurors are not supposed, under the law, to be selected with a view to the gratification of personal spite nor the exercise of religious bigotry. If John Spiers has wilfully violated the law, he ought to be subjected to the penalty. But if his indictment was procured to answer the ends of malice and private animosity, the Grand Juror who was the chief actor in the conspiracy should be prosecuted and dealt with as the law directs. Will the U. S. District Attorney be as diligent in this matter, as in seeking to place ladies in legal jeopardy for voting the People's ticket under the firm conviction that they had the right to do so? We shall see.

THE FUTURE LIFE.

THE *Christian Union* of the 5th inst. contains a sermon by Henry Ward Beecher on "The Future Life." The only point demonstrated in this discourse is the popular preacher's total ignorance of that life that forms the subject of the address, which was delivered at the Twin Mountain House, N. H., where the great orator has been

rusticating and drawing immense congregations.

He attempts to show that "the Old Testament is dumb and utters not a word" on a future life, and that the New Testament teaches the final loss of the body at death, that it is "not to go beyond the grave." He states his object to be, "not to enlarge intellectual ideas by clearing away intellectual doubts, but to put the question of a future life so that it can be used for the comfort of this life and for its inspiration." And he then goes on to show that neither he nor any other mortal knows anything about the future life, and to try to destroy the Bible doctrine of the resurrection of the body.

In support of the statement that the Old Testament says nothing about a future life, and that its "saints or writers were in profound darkness on the subject," he partially quotes the words of Job. If he had fully quoted the afflicted man's sayings he would have refuted his own argument. Mr. Beecher gives a few words from the first part of the 14th chapter of Job, and concludes with the 11th and 12th verses.

"As the waters fail from the sea, and the flood decayeth and dryeth up, so man lieth down and riseth not: till the heavens be no more they shall not awake, nor be raised out of their sleep."

To be honest with his hearers, he should have read the succeeding verses, but they would not have supported his theory. The 13th to 15th verses are as follows:

"O that thou wouldst hide me in the grave, that thou wouldst keep me secret till thy wrath be past, that thou wouldst appoint me a set time, and remember me! If a man die shall he live again? All the days of my appointed time will I wait, till my change come. Thou shalt call, and I will answer thee, thou wilt have a desire to the work of thine hands."

It is clear from these passages that Job expected, when the heavens should be "no more," or as a New Testament writer has it, when the heavens are "rolled up as a scroll," that he should "awake and be raised out of his sleep," and that when his Maker should "call" he would be able to "answer." And to dispel all doubts as to Job's faith in and understanding of the doctrine of a future life, and that resurrection which the Plymouth Church divine denies, the following occurs in Job xix. 23-26:

"Oh that my words were now written! oh that they were printed in a book! That they were graven with an iron pen, and lead in the rock for ever! For I know that my redeemer liveth, and that he shall stand at the latter day upon the earth, and though after my skin worms destroy this body, yet in my flesh shall I see God."

This man Job, who lived in the old times, which the modern preacher would call the dark ages, knew a great deal more than Mr. Beecher does about the future life. The Psalms teem with references to the life beyond the grave, and Ezekiel and Isaiah both speak of the resurrection of the body in the plainest and most unmistakable language. The reason why the law, as propounded by Moses, refers little to the great future of man, is because the Israelites had rejected the higher law revealed to them in Horeb, and the code of "carnal commandments" given in Mount Sinai and relating only to mortal existence, was added because it was adapted to a people who had shown themselves unworthy of the ordinances and teachings and priesthood that pertain to eternal life and exaltation.

But the gospel, with faith in the Redeemer and the rest of the righteous, was preached to the Israelites before the law was promulgated amid the thunders and lightnings on the mount, they were "baptized unto Moses in the cloud and in the sea," and partook of "the spiritual rock that followed them, which was Christ," and Abraham, their great progenitor, understood the gospel, and, like Job, saw the day of his Redeemer, and was glad. All this is announced in the New Testament, with which such an eminent preacher as Mr. Beecher ought to be well acquainted.

It is a matter of surprise that a man professing to believe in the New Testament can have the har-

dihood to stand up in the presence of thousands of intelligent men and women, and endeavor to disprove the doctrine of the resurrection of the body. This doctrine lies at the very foundation of the Christian faith. It was Christ's body that was raised from the dead. His spirit was deathless. It was a body of "flesh and bones" which was raised, and which he invited his doubting disciples to handle. It is a body like the "glorious body of the Son of God," that the New Testament writers speak of as the future heritage of the righteous. It is this "mortal" that is to put on "immortality," and this "corruptible" that is to put on "incorruption." The sea is to give up the dead, which are in it. It is the "grave" over which the saint is to obtain the "victory." And Isaiah, when he declares that "the earth shall cast out her dead," and shall "no more cover her slain," and says "thy dead men shall live, together with my dead body shall they arise," is in accord with Paul when he exclaims, "If there be no resurrection of the dead, then is not Christ risen," but "the trumpet shall sound, and the dead shall be raised incorruptible, and we shall all be changed." And thus both the Old and New Testaments proclaim the doctrine of the future life, to the confounding of false teachers like the pastor of Plymouth Church, and other self-constituted ministers of modern spurious Christianity.

Mr. Beecher has the right to advance spiritualistic theories, and propound arguments against any of the cardinal doctrines of the religion of Christ if he chooses. But he has no right to lay the responsibility of his vain philosophy upon the sacred Scriptures, nor to pervert the sayings of the Old or New Testament writers, to bolster up the infidel notions which he seeks to palm upon the public under the guise of religion. He certainly has not "enlarged any intellectual idea" in this discourse, nor "cleared away any intellectual doubt," but wherein he has "put the question of a future life" so as to give a single crumb of "comfort," or to evoke the smallest spark of "inspiration," is something that would be very difficult to discover even with a microscopic power of vision.

A GOOD WORD.

THE *Jefferson City (Mo.) State Journal* of the 14th inst., contains a well written account of the funeral of President Brigham Young, by M. J. Leaming, who also offers some very fair remarks and intelligent reflections on Utah and the "Mormons," from which we extract the following:

That there is much love, much frugality, much fraternity, much industry, great sincerity, and very general contentment among all classes of Mormons, is most unquestionably true. In some of these matters, we Gentiles might go farther and do a great deal worse for an example to follow in every day practical life. I recognize these facts, and still I should by no means be inclined to say:

"I want to be a Mormon,
And with the Mormon's stand!"

"What I do object to in this business, however, is the everlasting abuse of these people, chiefly by individuals who have either some selfish purpose to gratify or who possess little or no knowledge of the Mormon church, its doctrines and practices, but who seem to generate their vile abuse from ignorance and natural meanness. If these, and such as these, would use half the energy thus displayed, in kindly persuasion and ordinary charity, in place of bitter sarcasm and vulgar blackguardism, the result, whatever it might be, would certainly be far better, and would at least possess the merit of a Christian spirit. "He that is without sin among you, let him first cast a stone," is a portion of Scripture which seems to have escaped the observation, certainly the practice, of these every-day vilifiers of the Mormons."

A colossal statue, in white marble, of the late Andrew Johnson is to be erected near his old home in Tennessee. It is being sculptured by a Philadelphia marble firm, and when completed will be twenty-two feet high.

Local and Other Matters.

FROM WEDNESDAY'S DAILY, SEPT. 19.

Bridge Completed.—Superintendent Sharp, of the Utah Central Railroad, has received a dispatch from Omaha, stating that the bridge over the Missouri River at that point is completed, and trains cross over all right.

Funeral Services.—The obsequies of Sister Pamela Benson, relict of the late Apostle E. T. Benson, took place on Monday, Sept. 17th, in the basement of the New Tabernacle, at Logan. President John Taylor and other members of the Quorum of the Twelve were present, and the assemblage of relations and friends was large, as was also the cortege which followed the remains of the departed to the cemetery. Sister Benson was much respected.

Cheap Music.—The *Utah Musical Hours* for October is out. A fine number. It contains "My Little Lost Irene," song and chorus; "Ever Sweet is Thy Memory," ballad; "Give a Kiss to Me," song and chorus; and "The National Debt," serio-comic song. Also four instrumental pieces, all good. This number with all this music can be obtained of the publisher, Calder & Careless, for 25 cents; while the price for each piece on sheet music is 35 cents.

Novel Way of Catching Fish.—Five men were seen collecting fish in large numbers on Saturday, the 15th inst., from the stream in East Cañon, Parley's Park, under peculiar circumstances to the eye-witness. They caught them easily with their hands. One of them had his shoes off and went into the water, while some of them, with short sticks, pushed the fish into shallow water, when they could not reach them otherwise. Our informant says that they used oil, pouring it on the water, and poisoning the fish. Should this practice continue, the streams of Utah will soon be minus fish.

The Age of Anne.—This is the title of a very interesting volume to be obtained at Dwyer's. It has no reference to the question of "How Old is Anne?" It is one of those admirable little works called "Epochs in History," and relates the principal incidents during and immediately preceding the reign of Queen Anne of England. The campaigns of the great Marlborough are given in detail; the English union with Scotland, the life and deeds of Peter the Great of Russia, and of Charles XII of Sweden form interesting features of the work; and the social, political, and literary celebrities of the period are described and commented upon in vigorous style. It is a very concise and comprehensive little volume, and can be obtained bound in cloth, for one dollar, at Dwyer's.

City Council.—The Council met last evening, Mayor Little presiding.

Petition of O. F. Atwood, for the privilege of putting weighing scales on First East Street, opposite his place of business and erecting a platform over the water sect, at the same place; referred to the committee on streets and alleys.

The committee on claims reported having examined the last quarterly report of the supervisor and finding the same correct; adopted, and the amount of balance of the supervisor's account appropriated.

The committee to whom was referred the matter of inquiry into the advisability of purchasing a piece of ground for a public wood and hay market, reported that a suitable lot, situated adjacent to and south of the City Hall, could be bought. The matter was referred back with instructions to the committee to ascertain whether suitable entrances could be obtained.

The committee to whom was referred the petition of Marrier Brothers and others doing business on Commercial Street, asking the Council to require the property holders to repair the sidewalks of that part of the city, reported that the condition of the sidewalks was as represented and that more than two-thirds of the property holders were willing to repair them. The committee also recommended that the owners of property be notified, by the marshal, to make the necessary improvements, within ten days and, in the event of their failure to comply, to enforce the ordinance therein made and provided. Adopted.

Council adjourned till next Tuesday evening at 7 o'clock.

Smash.—A hired horse in George Wiscombe's delivery wagon played smash with the vehicle, on East Temple Street, yesterday afternoon. The animal was suddenly seized with a kicking fit. The front of the wagon was badly smashed and one of the shafts broken. The driver, a boy, narrowly escaped injury.

Returned Missionary.—This morning we were pleased to receive a call from Elder B. F. Cummings, Jr., who returned last evening from a mission to the eastern States. He left Utah, November 3rd, 1875, and has consequently been absent nearly two years. During that time he has been actively and incessantly engaged in the ministry, in which he has been quite successful. It is unnecessary to give details of his movements and labors now, the particulars of which having appeared from time to time in the NEWS, in the interesting communications furnished by him to this journal. Elder Cummings is but a young man, twenty-two years old, and, considering his former inexperience in the missionary field, he has shown an amount of energy and industry worthy of more advanced age. Most of the time he was absent from home he labored in the New England Missionary District, over which he presided. He returns in fair health and excellent spirits.

Jumping the Law.—Fortunately when a person occupying a position of authority, judicial or otherwise, allows passion to overrule his better judgment, causing him to adopt measures of unwarranted severity, he frequently defeats his own object. This was somewhat illustrated the other day in the contempt case of Honorable Elias Smith. Five hundred dollars would have been a snug little sum to squeeze out of that gentleman, but it is, rather improbable that he will have to pay it. Various motives are imputed to the Court for imposing so severe and indeed illegal a penalty upon Judge Smith. We are not dealing with conjectures, but with facts, the most prominent among which is that the judgment of the Court was without authority of law, and Judge Schaffler, in rendering it, consequently exceeded his jurisdiction.

Herewith we give the section of the Compiled Laws of Utah, page 528, which defines the penalty in contempt cases—

"Upon the answer and evidence taken, the Court, or judge, shall determine whether the person proceeded against is guilty of the contempt charged; and if it is adjudged that he is guilty of the contempt, a fine may be imposed on him not exceeding two hundred dollars, or he may be imprisoned not exceeding five days, or both."

It is a very essential matter that a functionary whose sole and particular business is to administer law should be well acquainted with its provisions, but in this instance, that necessary point has been omitted. However, the fiat has gone forth, an execution has issued, although an illegal one, but the officer attempting to enforce it will lay himself liable. To fully carry out the measure of this proceeding an irresponsible special officer, such as a "commissioner without bonds" might be considered the next thing in order.

Trustees.—In the Third School District John H. Picknell, James Eardley and George Stringfellow were elected, on Monday night, a board of trustees, for the ensuing term of two years.

Home Enterprise.—We take pleasure in noticing any facts that should have the effect of encouraging the people of this community to increase their efforts in manufacturing the various articles required for comfort, necessity, or ornament. One of the most satisfactory developments in this direction, that has lately come under our observation, is the Boot and Shoe Manufactory of Mr. Wm. H. Rowe, in this city. He has embarked all his means, together with a by no means limited capital of energy and ability, in this enterprise, and has made his factory a model; each department is carefully systematized, the machinery and operatives, under the skillful personal attention of Mr. R., move together "like clockwork," and the gratifying results are that those indispensable articles, boots and shoes, are manufactured as cheaply as they can be imported, and we believe he is "making it pay."

The greater portion of the goods