

# DESERET NEWS.

WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - JULY 28, 1879.

## WHY IS IT?

CAN any one explain the reason why Saturday evening is generally chosen as a time to serve papers upon and seize the persons of prominent men among the "Mormons," whenever there is an opportunity to execute upon them any process of court? Is it an accident of time, a coincidence of action or the result of a malicious desire to hamper leading Elders of the Church in their administrations on the Sabbath? It looks very much like the latter. For, no matter what may be the cause at issue, or the motives which originally prompt any action at law to which prominent "Mormons" are made a party, a strong animus against their religion is sure to be soon exhibited by those engaged in the attack, and becomes palpable in their every movement and in the proceedings of Courts and officials. The spirit of Belial and the spirit of Christ have always been at variance. They remain so to-day. There is a warfare of influences naturally antagonistic in their nature, which has been waged from the beginning; the crisis is close at hand. We welcome it with all its consequences as the day of separation and the downfall of villainy of every sort. Speed the day.

## WHERE DOES THE MONEY GO?

THE latest number of *Puck* has on the last page a very suggestive double cartoon. One half represents the outside and the other half the inside of an institution which has been placed in charge of a Receiver, after the modern fashion of using up the funds of a bank or an estate. On the inside view the safe of the institution is open, with the Receiver standing inside handing out bags of coin to several elated individuals, whose handbills bear the title of "Lawyer," "Expert" or "Referee." Outside are the poor victims of the judicial proceedings fainting or half crazed, they gaze in despair on the inscriptions: "Closed by Order of the Court," "Paid to Lawyers, Receivers, Experts, Judge's Brother, Cousin, etc., \$181,000." "Paid to Policy Holders \$500,000." The cartoon is entitled, "Receivership. Where does the Money Go?"

Our readers will only have to think for a moment on the proceedings in the District Court in relation to the B. Y. estate to see the application of the New York cartoon to Salt Lake realities.

In these degenerate times, when litigation is quiet, and business is consequently dull for the legal fraternity, the estate of a decedent who leaves property worth the picking, affords a splendid opening for hungry lawyers and greedy judges, who can, by a pool combination, on the slightest pretext and the testimony or complaint of the most worthless and abandoned person, trample on the sacred wishes of the deceased, wrest his property from the custody of the properly authorized executors, hand over the care of millions to a Receiver on paltry security, waste the substance of widows and orphans in fees and court expenses and commit the flagrant robbery in the name of law and judicial authority.

The same method is pursued with regard to shaky savings banks and other trust institutions. Under some flimsy excuse the institution is closed, its affairs are placed in the hands of a Receiver, and then like a pack of voracious wolves, lawyers, judges and court officials prey on the proceeds while the poor wretches who really own the assets perish for want or die of despair.

There is a day of fearful reckoning for all this, and the penalties of this life are too small for adequate punishment. "Vengeance is mine; I will repay, saith the Lord." He will keep his word. But it is the duty of honorable men to pro-

test to-day against the theft and blackmailing which are practised under cover of legal proceedings, and take measures to make examples of the villains who practise these outrages, until justice and judgment are fully satisfied. Watch, wait, and work.

## ONLY SEVEN HEIRS IN THE CONSPIRACY.

WE direct attention to a communication in another place in this paper, concerning the attitude of the large majority of the heirs and legatees of the estate of our late President Brigham Young. As only one has publicly repudiated, through the press, any connection with the suit against the executors and others, which nearly all persons in the community recognize as a bare-faced attempt at blackmail, it is naturally thought by those unacquainted with the facts, that quite a number of the heirs, if not openly engaged with the original complainant in a base endeavor to grasp property that rightfully belongs to the Church, and waste away other portions of the estate that remain, designed for the benefit of the widows and minor heirs, are holding back out of sight, to take advantage of any morsels that may perchance fall into their hands, in the event of the success or partial success of the suit.

It will be seen by the statement referred to that this is not the case. Not only do the great majority of the heirs refuse to join in this unhallowed suit, which can only result chiefly in pecuniary food to fatten lawyers and fees to courts and officers, to the detriment of the estate, but they are as strongly opposed to it and as deeply regret its institution as the most indignant person outside of the family who sees the shameful conspiracy in its true light.

We are gratified by this statement. We are aware of its truth. There may be reasons, with which neither we nor the public are concerned, why the parties do not each, for himself or herself, publish a signed repudiation of and protest against the cause and its promoters. Whatever they may be, we think this vindication is due to the heirs and legatees with the exception of the seven individuals whose names appear as plaintiffs, and who seem to value a few paltry dollars far more than their own reputation and the wishes of an indulgent parent, whose body now lies cold in death, and who was the source of the means which some of them have been recklessly squandering to the disgust of all decent people in the community. Let the blame rest where it belongs, and there only.

## ANOTHER FALSEHOOD REFUTED.

THE following extract from a letter written by Elder George Reynolds to his family, and dated July 13th, gives a sufficient answer to a falsehood which has been frequently repeated in this city, and put into the mouths of the ladies of the anti-polygamy society for them to repeat in their anti-Christian letter to President Hayes, asking that no clemency of any kind be exercised towards Brother Reynolds. The statement that a boast of the defendant's in the Tabernacle led to his indictment has already been refuted in the affidavit of Mr. Jas. Horrocks, one of the grand jurors, and Brother Reynolds's letter brands the whole fabrication as an unmitigated falsehood, made up to give color to the denial that his case was presented to the grand jury as a test case:

"I see the anti-polygamy ladies state in their letter to President Hayes that 'in the Mormon tabernacle I boastfully proclaimed my polygamous relations and asserted my right to marry all the women I chose to, also that among my auditors was a gentle grand juror who reported my boast to the Grand Jury.' I wish to say in reply to this, that I have never at any time, before or since my indictment, spoken at a public meeting in the Tabernacle. The only time that I have ever spoken therein, was to children at a rehearsal for a Sunday school jubilee, which I believe was since my indictment. I never, but once, addressed a public meeting

in the Old Tabernacle, new pulled down, and that was in 1865, long before I took a second wife. On neither of the above occasions did I, in any way, refer to plural marriage as a principle, or to my own family relations or affairs. In no public meeting, at any place other than the tabernacle did I, before my indictment, make the statements with which I am charged. The whole assertion is a fabrication and falsehood."

Is it not about time that these anti-polygamy females either ceased sending bitter and malicious memorials to the President or, else hired some one to write for them who will not all the time insert lies into their documents, and thus place the ladies in a very unenviable situation before the Government and the people?

## A DEMAND OF THE TIMES.

IT is but a little while since the charge of exclusiveness was one of the loudest complaints against the "Mormons." It was never deserved, for our people, if blamable at all in their intercourse with strangers, are to be censured for too ready familiarity with persons of whose antecedents they are in ignorance. Men would come here from the East who were entirely unknown to the community, and because they were not received with open arms by leading "Mormons," introduced to their families and treated as though they were life-long acquaintances, would raise the cry that the "Mormons" were "exclusive."

Gentlemen of any standing and repute, when they travel beyond the sphere of their reputation and wish to make intimate acquaintance with people whom they visit, generally carry letters of introduction from some mutual friend, whose endorsement is a voucher for their respectability. If this is impracticable, they do not expect to be received otherwise than as strangers until their character becomes established and their merits are determined.

The West is the most attractive field for adventurers, many of whom are without principle as well as character, and they are generally the loudest objectors to "exclusiveness" on the part of the people among whom they sojourn. The advice given to the Latter-day Saints by their leaders has been and is, to be cautious in making close acquaintance with strangers, especially in taking them into their homes and placing them in the society of wives and children, who would naturally conclude that the stranger was a friend and honorable, or the head of the family would not show such confidence in him.

How many have drunk deep of the cup of sorrow and shame through neglecting this sound advice! Our young men and ladies are generally simple and unsuspecting, and easily impressed. Thinking no evil, they are liable to become a prey to the wiles of the man of the world who seeks their overthrow, and the responsibility for their fall will certainly rest upon the shoulders of their parents and guardians who pushed them into the very jaws of destruction.

If there ever was a time when the charge of "exclusiveness" could be properly brought against our people it seems to have fled. There is little difficulty now for strangers to get acquainted with our youth of either sex, and the liberty accorded to our young people is extending beyond the bounds of prudence and the rules of good society. We feel it our duty to caution parents against too great laxity and indulgence of their children who are approaching maturity. Young people ought not to be held down by irksome restraint so as to be made to feel that they are in bondage. On the other hand they should not be permitted to visit and roam at will, especially at unseemly hours. Young girls should have enough self-respect not to walk the streets late at night and if they have not, their parents should instruct them. It is neither wise nor prudent for young ladies to go on bathing trips without a chaperon old enough or experienced enough to protect and advise them. Men whose chief characteristic is consummate impudence, will scrape acquaintance with young people at bathing resorts, and intrude them-

selves into the society of respectable people, with a familiarity which would not be endured in other places and on other occasions. If this excess of liberty is not checked, great evils will grow out of it. Opportunities are thus offered for the vile and presuming which they are not slow to avail themselves of, and we warn our friends against permitting their sons and daughters to indulge in the unrestrained freedom, increasingly observable, that gives the designing such immense advantages.

We have no wish to suppress anything that is good, to deprive anyone of rational pleasure or to cramp the spirit of true liberty. We speak for the benefit of our young people, not for their harm. We advise them to be circumspect, to hold in check the reins of their buoyant spirits, to hearken to the advice of their parents and the voice of experience, to be wary of strangers no matter how polished or attractive, to guard well their good name, to shun the very appearance of evil and to be temperate in all things, even in the height of their innocent fun and jollity. It is right to be properly "exclusive." Everybody is not good enough for an acquaintance. Only those whom the natural guardians of youth admit to their society should be received as associates. And too great familiarity in any one should be repelled with becoming dignity. A little more "exclusiveness" is one of the wants of the times, and while we despise the assumed hauteur and stuck-up pride of the pretended aristocrat, view with mingled laughter and contempt the thin veneer of affectation through which vulgarity is ever present to the vision, and deplore the error which makes money and good clothes the criterion of worth, we know that it will be to the advantage of our people to be more select in their acquaintances, and to regard with closer scrutiny the associations of their sons and daughters, whose welfare is their hope and pride.

## LEGAL ROBBERIES.

UNDER the above heading the *German town Telegraph* has the following, in relation to the wholesale peculations of corrupt courts and legal thieves, when they can get into their clutches the property of a bankrupt corporation or estate under dispute. The remarks of the *Telegraph* are quite apropos to local litigation now pending:

"Some attention has been attracted in New York City to the details respecting the legal management of a bankrupt life insurance company, in which the assets were \$125,000, and the legal expenses \$180,000. In this instance the facts are clear and beyond dispute. This plunder was carried on by lawyers directly under the eye of the court, and with a brother of the Judge receiving a share of the plunder. For years past the higher classes of lawyers in New York City have been a terror to all corporations liable in any way to fall within their reach, and of the immense sums wasted by the Erie Railroad in efforts to reach some sort of permanent settlement with its creditors, by far the greater portion has been swallowed up by lawyers, receivers and other sharks, participating in the lawsuits or acting under the rules of court. So common has this dread of legal proceedings become that many corporations would sooner compromise a suit upon any terms than to waste money in endless litigation.

## AN APPARENT FRAUD.

SINCE publishing the letter from a Mormon Battalion soldier in regard to his extra pay having been drawn many years ago without his knowledge or sanction, we have received numerous communications from different parts of the Territory relating to similar apparent frauds. On making application for the three months extra pay, letters similar to the following have been sent in reply:

(Office Form No. 123.)

TREASURY DEPARTMENT,  
Second Auditor's Office,  
June 24th, 1879.

Respectfully returned to Thos. C.

D. Howell, Clifton, Idaho Territory.

The records of this office show that the "three months' extra pay" in the case of yourself was paid to you by Paymaster T. S. Bryan, February, 1849, through C. W. Rohrer, Attorney.

E. B. FRENCH,  
Auditor.  
By C. F. H.

All the parties writing to me on this subject deny having ever authorized any person to receive pay or to act as their attorney in this matter. The name given as attorney is not the same in each case; some have been collected, Wm. Butts, others by Geo. Briggs, and the dates of collection vary from 1849 to 1852.

Some light has been thrown on this subject by Judge Z. Snow, in 1851, was Judge of the United States District Court here. He states that he administered an oath to a number of persons who made affidavits at that time in relation to members of the Mormon Battalion, in order that their pay might be drawn by Jesse Holladay, a merchant then doing business in this city, who bought up claims for about \$25 each in goods. Many of the brethren sold away their right and title to pay and subsistence at that time, and the three months extra pay has a doubt been collected therewith.

This will account for the collection of some of the claims, but not others. It appears that a majority of instances the pay has been collected, and it is now too late to remedy the wrong if any exists. The names of the persons acting as attorneys are unknown here, and if there were any ways of tracing them, prosecution for the offence, fraud has been committed, has long ago been barred by the statute of limitations.

It is perhaps worth while for those whose pay has been thus collected to make inquiries with a view of ascertaining for certain whether the three months' extra pay was obtained, or only the regular pay and subsistence, as in the latter case the former would still be due and owing to the claimants.

We regret that there is no remedy for the Battalion soldiers who have thus apparently been defrauded, but see no prospects of redress as consequence of the lapse of time. It would be cold comfort to say they will have to "grin and bear it."

## Local and Other Matters

FROM FRIDAY'S DAILY, JULY 19.

**Oppressive.**—The heat was very oppressive yesterday. Although the thermometer scored but 95 degrees the day seemed warmer than we have had this summer. Even after nightfall, the atmosphere continued warm and heavy and it was difficult for even the most somnolent to "knit up the ravelled skein of care" until after midnight.

**Eye Removed.**—Mr. Ben Hampton, who had one of his eyes injured about five years ago so that its sight was destroyed, yesterday had it removed on account of having recently become painful and threatened the safety of the other orb. The operation was successfully performed by Dr. Benedict and a number of assistants. An artificial eye will replace the one extracted.

**Will Leave To-morrow.**—Lieut. Willard Young leaves for New York on Saturday morning, having been ordered to appear in the city on the 23d inst., before an examining board of officers as to his qualifications for promotion. He was also ordered to report for duty about August 15th, at the Point Military Academy as an instructor in the Engineer Department of that institution.

**A Wicked Fabrication.**—Some unprincipled persons have started the story that on the arrival of Elder George Reynolds, last evening, an attempt was made by the crowd to rescue him from the hands of the Marshal, and that it was only by the utmost vigilance of the officers that the design was frustrated. It is as needless to accuse the makers of such a falsehood with an utter lack of principle, as it is to appeal to all present at the time, for a refutation of the cowardly libel.

**Dry Weather, Fires, &c.**—Brother William C. McLellan, of Millville, Arizona, writes under date of the 7th inst: