

CORRESPONDENCE.

ONE CAUSE OF TROUBLE.

MANTI, January 4, 1886.

Editor Deseret News:

It may not be amiss for me to communicate a few of my thoughts through your columns relative to events now transpiring in our midst. It would seem from our district courts, as they are now manipulated, that all justice and impartial rulings (where "Mormons" are concerned) had departed, and that partiality and prejudice inspire both judge and jury, in finding them guilty without evidence, and in imposing fines and imprisonment.

I often ask myself the question whether as a people we are not

TO BLAME IN A GREAT DEGREE

for our present condition. I am aware that the innocent must suffer with the guilty, but have not many of us, in direct opposition to the counsel of our brethren and our own better judgment, sold our inheritances to our enemies, and battered away our rights and the rights of our neighbors, for the sake of filthy lucre? Have not many of us directly patronized and supported our enemies in their business enterprises and made it possible for them to do us much injury through the means we have put into their hands? In all of these matters we have been recreant not only to our own but the whole people's interest, and as a natural consequence we all suffer more or less, in proportion to the interest we have in the spread of righteousness and truth in the earth, and the overthrow of corruption in every form.

The Epistle of the First Presidency to the officers and members of the Church of Jesus Christ of Latter-day Saints, read before the Conference at Logan, October 6th, 1885, says: There are

SECRET ANOMINATIONS

practiced by those who are called Saints, which the trials we are now passing through will reveal in a manner terrible to them. Recent developments among our own people prove beyond doubt the correctness of the statement made by the Presidency, and that it is through the unfaithfulness of many of those who profess to be Saints and are not, that we suffer so much.

The Psalmist David asked the question: "Lord, who shall abide in Thy tabernacles? Who shall dwell in Thy holy hill?" The answer came: "He that walketh uprightly and worketh righteousness and speaketh the truth in his heart. He that backbiteth not with his tongue, nor doeth evil to his neighbor, nor taketh up a reproach against his neighbor. He that putteth not out his money to usury nor taketh reward against the innocent. He that doeth these things shall never be moved."

Is it not very essential for our own safety before God that we turn away from all our iniquity, and in humility of heart, in our fast meetings, in the family circle and in secret, call upon the Lord in mighty faith, that we may be strengthened for the conflict while it shall last, and that defeat, immediate or otherwise, may come upon the enemies of Zion, whichever God in His kind providence shall deem best? That liberty to build up Zion in her beauty and glory may be extended to all the saints, is the prayer of your brother in the Gospel of peace.

WM. G.

THE NEW EDMUNDS BILL.

REMARKS OF SENATOR TELLER.

A MANLY AND VIGOROUS SPEECH.

In the Senate of the United States on January 6th, during the debate on the Utah bill introduced by Mr. Edmunds, the following remarks were made by Mr. Teller of Colorado. As they have been much misrepresented we give them in full from the *Congressional Record* of January 7th:

Mr. Teller. I should like to inquire of the Senator from Vermont whether he has any information to the effect that the Mormon Church has at this time any property save and except its temples and that class of buildings.

Mr. Edmunds. My information is that under the cover and control these trustees, whose books and records nobody can see, they have vastly more; and there is a provision in the bill which provides for cutting up all that which is acquired in violation of law, saving all private rights.

Mr. Teller. I do not know but that the Senator may be rightly informed; but I have been advised on what I regard as very good authority that this organization controls practically now nothing except some small matters aside from its church property. I should like to inquire also of the Senator from Vermont if he believes that fourteen trustees appointed by the United States to carry on this work will confine themselves to the temporal duties of this organization, if it is not in the nature of things, when you consider how these trustees must be selected, the great excitement that is all the time attendant on this question in that community, that they will go directly into the question of the religious affairs of this institution? And as was suggested by the Senator from Alabama, is it not actually making the United States an active co-operator in this church movement? If not, then they are to at once disestablish it and destroy it.

I may not be correct as to the amount of property they have in hand, but I know something about these Mormons. They are as shrewd and enterprising as any people in this country. They have had ample notice of this proposed legislation. It passed the Senate last winter, if I recollect. It is not very probable to my mind that there is any considerable amount of money or property of any kind to be taken by these trustees, save and except that which every church organization has and has a right to have, and which the Senator says it is not proposed to interfere with; that is, their church property. They have in the city of Salt Lake a very large building called a temple. I have not been there for some years, but they had when I was there, in addition to that, a very large building called a tabernacle. The temple is a very massive structure. I should say that probably it had cost a million and a half or two million of dollars. It has a block of ground in connection with it of great value. The tabernacle is the most unique structure of the kind in the world. There is nothing like it in the world. It is a remarkable building from an architectural point of view. It has also land surrounding it. The surrounding land may not be absolutely necessary now to those buildings to carry on what we should call the religious workings of the organization. The trustees may seize on that land and say that is not church property, even if they attempt to carry out this act in the spirit suggested by the Senator.

My own judgment is that it would be a great deal better to dissolve this corporation, that it would save a great deal of friction and a great deal of trouble in that community to take it out by the roots and say that there should be no such corporation whatever. The property would revert, of course, if we destroy the corporation, by the ordinary laws of corporations to the people who first put it in there. It would go to the people who gave it; the people who took this country when it was a desert and made it blossom like a rose; the people who have built this out of their hard earnings, and who are as much entitled to it in a religious point of view as the people who have built any cathedral or any church on the continent are entitled to it.

I do not believe in polygamy. I voted for the original law; I voted for the law that in my judgment, is destined ultimately to destroy polygamy in Utah. I will not vote for this bill. I will not vote for this bill because I think it a step backward, and it is a step to undo that which we did in 1882 by the law then passed. I have had some knowledge of these people. I have had some knowledge of the persecutions they have endured at the hands of Government officials, and I say here, as I have said again and again, with a full knowledge of how unpopular it might be to say it, that if the Government officials had been sent there, who would have faithfully administered the old law, existing for twenty years, polygamy would now be as dead as any other wicked institution that has departed with the light of civilization. But we sent men there who aggravated and irritated and who abused. I was at Salt Lake in times when there were practically no Gentiles there. I was there when among the whole eighty thousand people of Utah there were not two hundred Gentiles.

Polygamy was rampant; that is to say, there were large numbers of practical polygamists without any interference of the law. There was a sentiment underlying that community that made itself heard in every hamlet and every village as opposed to that system. You could hear it discussed on the street corners, in the hotels, in the restaurants, and in every place. Men who were Mormons and who adhered to the faith of Joseph declared that polygamy was not a part and parcel of the Mormon religion. By our persecution we drove that class of people to silence. We silenced them as you will always silence the voice of a considerable minority when persecution and outrages are resorted to to accomplish even what may be a good end.

Mr. President, I know that no man stands upon this floor and defends that people without being slandered and traduced throughout this land. I know that the bigotry and the hatred that grows out of religious enthusiasm and zeal can never see beyond the very question that is presented, that polygamy is a crime. It is a crime against civilization as we view it, and yet more than three-fourths of the world to-day are in favor of and practice this institution of polygamy. Great Britain, with all her civilization, with all her religious fervor and zeal, has never put her hand on her two hundred and fifty millions of Indian subjects as we have put our hands upon these Mormons. I am in favor of putting the strong hand of the law upon them and compelling obedience to the law, but I am for doing it under the color and under the forms of law, and not in such a manner as shall make every honest man in that Territory feel that the Government is going beyond its legitimate powers and its legitimate sphere in persecution.

Mr. President, I am not a churchman myself in the extreme sense of the term. There are other organizations in this land that teach pernicious doctrines and pernicious principles. Shall I say that it is the duty of the General Government to seize them with the strong hand and compel obedience to what we may here think is proper? In so far as they violate the law they come within the province and the power of

the General Government; but in so far as they maintain a strict compliance with the law they are entitled to the same protection and the same treatment as any other religious organization in the land, and so far as I am concerned they shall have it always by my vote.

Mr. President these people are not without virtues. They are an honest, pains-taking, hard-working, industrious people. I went to their capital city when there were 15,000 people there, and to their credit be it said, not a place in it where whisky could be sold, not a grog-shop in the length or breadth of the land, not a house of prostitution, not a gambling place in the whole Territory with 80,000 people. They may not possess all the virtues; but they do have the vice which we are endeavoring to eradicate from their midst. It can not be done by these harsh and strained measures. I believe if the act of 1882 had been carried out in the spirit with which it came from the committee and in the spirit with which I voted for it, polygamy would have been practically dead to-day. We said in it the President may grant amnesty to the men who have heretofore committed the crime of having more than one wife. It has not been done. The men who took wives to their bosoms under what they professed at least to believe to be a legal right and a religious right thirty-five and forty years ago, were required to put them from them.

Take for instance the cases that I could mention of individual men who have raised four or five families, who have educated them in Europe and have given them all the advantages of travel and culture, you cannot expect that those men will bastardize their children without a struggle; you cannot expect that the President of that Church, who married his wives more than a generation ago, will put them from him and declare they are prostitutes. You ought to have some respect for the prejudices, for the feelings; and for the religious bigotry of these people. They are ready to suffer martyrdom, as others have suffered it, in the cause of error, in the cause of untruth, and in the cause of crime. If you expect to approach that people and save them, you must do it by the proper and legitimate exercise of authority, strong yet soft. While the heavy hand of the law should be put upon them, it should be put upon them in kindness, not in anger.

This bill, in my judgment, bristles everywhere with vengeance and blood. I am as anxious to clear the country from the crime at which it professes to aim as anybody, and I shall vote for all proper and respectable and constitutional measures for that purpose. But, Mr. President, in my judgment, it is quite as creditable that polygamy should exist untouched within our borders as that we should go beyond the constitutional powers of the Government and establish a precedent here that may come back some time to rebuke us and to cause us immense trouble.

After some remarks by and dispute with Mr. Edmunds, Mr. Teller said:

Mr. President, this is not the time, nor is it the proper place, to go into any extended history of the persecution of these people. I state it as a fact, and everybody who has been familiar with the condition of affairs in that Territory will admit that for many years the character of our official acts in the Territory was such as not to compel respect to the law, but, on the contrary, to excite an antagonism to everything connected with national affairs. I have myself left the courtroom in that Territory outraged so that I could not stay there for fear, as a member of the court and having a right to be heard at the bar, I should be compelled to rebuke the presiding judge. I have heard from the bench things that could not have been uttered in the State that I represent without taking the judge from the bench. I have heard them on more than one occasion, and they were repeated so as to be an every-day occurrence in that court for years. I say that there is no State in this Union and no Territory in this Union that would have submitted to such things a single month, and those people submitted for four straight years.

The honorable Senator says there is nothing oppressive in this bill. Does he know of any law that compels the wife to testify against the husband? I do not know of any, and I do not want to live in a community that does compel it. It is undermining and breaking down the very essence of the marriage relation to compel a wife to testify against her husband. She may testify; but this says she shall be compelled to testify. Does the honorable Senator know of any State in the Union where the sheriff acts as a committing magistrate on view? If he does, I do not. It is not so at common law, and it is not so in any country where there is due respect for human rights, and yet that is in this bill.

Mr. Edmunds. Where is that? Mr. Teller. It is in this bill. I do not know where it is exactly. The sheriff may commit on view and take bail. That is the construction I put upon it. I may be incorrect.

Mr. Edmunds. I should be awfully glad to see that paragraph. It has escaped the attention of the committee, and my attention, too.

Mr. Teller. I do not mean the sheriff; I mean the marshal, which is the same thing.

Mr. Edmunds. I do not see it here as to the marshal.

Mr. Van Wyck. The twenty-second

section, fifth line is probably what the Senator from Colorado refers to.

Mr. Edmunds. If that is what he means—

Mr. Van Wyck. Less than a marshal, a commissioner may do it.

Mr. Teller. There is a provision here somewhere that the marshal may arrest and that he may commit. There is one provision that the supreme court of the Territory may exercise an appointing power. The Senator is not ignorant of the fact that this great mass of people, 90 per cent. of them, at least, are in absolute antagonism with that court. I do not say the court is not right, but I do say that it is unwise to put in the hands of the court that which might be exercised by some other power just as well.

Here is what I alluded to:

Sec. 22. That the marshal of said Territory of Utah, and his deputies, shall possess and may exercise all the powers in executing the laws of the United States possessed and exercised by sheriffs and their deputies as peace officers; and each of them shall cause all offenders against the law, in his view, to enter into recognizance to keep the peace, etc.

I say that there is not another statute in this country of that kind. This is not yet one, but I suppose it will be enacted; I have no doubt about that. As far as the Senate is concerned, it has already passed this bill. The Senator can not be ignorant of the fact that these fourteen trustees will be there as the active agents to destroy this church. He cannot be ignorant of the fact that every Mormon will be in direct antagonism with that agency. I repeat again, then that it would be a great deal better, so far as they are concerned, to have this organization abolished absolutely.

Now, Mr. President, if everything in this bill is in the other, why does the Senator want to pass this bill? It is simply an irritant. It is simply to give the people who are now protesting against the enactment of this law a lever upon and over those men in that community who would obey the law if they dared do so. There is a public sentiment there which keeps hundreds of men from yielding assent to the law, and every movement of this kind makes it easier for the malcontents and the opponents of the law to keep in subjection the great mass of the people of that Territory. It will not accomplish the end. It could not have been better devised, in my judgment, to continue the unhappy condition of affairs in that Territory than it has been by this bill.

THE NEW EDMUNDS BILL.

SECOND SPEECH OF SENATOR TELLER.

SOME PLAIN FACTS.

In the U. S. Senate, on the 7th inst., Mr. Teller, resenting the unfair assaults upon his speech of the previous day, made the following outspoken and telling remarks, which seemed to greatly irritate Mr. Cullom, of Illinois, but which he could not refute:

Mr. Teller.—Mr. President, I expressed my idea yesterday of perhaps the folly of a man saying anything against this bill; first, because it comes from a committee of so high authority in this body; secondly, because it touches a question that I do not think the mass of the people are capable of coolly, carefully, dispassionately discussing, and no better illustration can be made of that than when a senator on this floor who has read my remarks arises and attributes to me what I never said, either in letter or spirit. On any other subject the senator from Illinois would not have made that blunder. On this subject he, like the great mass of men, thinks from his prejudices, thinks from his anger at an evil that I am as free to condemn and as anxious to extirpate as he is; but I am anxious to do it under the forms and under the color of law. I have been educated in a school which taught me that whenever a government attempted to repress crime by methods unknown to the law, it was a greater crime than that which it attempted to repress, because it is the greatest of all crimes.

Mr. President, polygamy is a crime; but it is not greater than murder, it is not greater than other crimes known in the catalogue of human vice. It is contrary to our ideas of civilization; it is contrary to our judgment of what is to the best interest of a political organization; it is contrary to our religious convictions, and therefore we do not look at it with calm consideration, and we do not consider when we come to attempt to put our hand upon it how we are to best do it. We want, as a Senator said to me to-day, to put the knife in. So say I, but put the knife in under the color of law; put the knife in by a constitutional movement.

I believe the act of 1882 was sufficient to have eradicated this evil if it had been properly administered. I believe it was a proper law. I have never criticized it; I have never criticized the action of the General Government, but I say its agencies sent there from time to time were of a character that was calculated to defeat the laudable purpose of the law. I joined, as a member of the committee and as a member of the Senate, in the passage of the act of 1882. I believe that act is now capable of carrying out and completing the end which we all are so desirous to attain. I did not intend yesterday in my criticisms to criticize the past transactions under this law,

but to criticize the actions under the old law. The honorable Senator says we all know that no effort was made to enforce it. That is what I complain of. For fifteen years the Government made practically no effort at all; it sent men out there who professedly for a time attempted to enforce it in the most odious and most objectionable manner possible, and yet did nothing.

Whether these people have been persecuted or not is a matter of judgment. I do not yield to any man on this floor in knowledge on this question. I know these people as well as anybody here does, and I know their history as well; but I am no believer in their religion. I regard their chief prophet as an arrant knave. I do not believe any revelation was ever made to Joe Smith or to Brigham Young or to anybody else. I regard this as an oligarchy or a religious despotism that ought to be wiped out, but it must be done by law. If you can justify the transgression of fundamental principles of constitutional law in this case, you can do it in a hundred others. If the enormity of the crime that is to be stricken down is a justification for the transgression of law, then you may find it everywhere, and no rights are sacred. It becomes a question of prejudice and of passion and of hate.

I did say that this bill bristled with blood and with vengeance, and I repeat it, and I propose to show it. I propose to show here that there never was such a bill introduced in any legislative body in the world, and no such bill was ever enacted into a law, and that two when, by the report of the commission that we sent out there, it is evident that there is no necessity for this extreme and new legislation.

Yesterday it was said that the wife could be compelled anywhere in the States to testify against the husband. I deny it. I do not know but that there may be some State where the expression has been used that the wife may be compelled to testify against the husband. I doubt it, however. She may testify, but she is not compelled to do so. If she does not testify, what is the result? She is committed for contempt, she goes to jail, she remains there till her scruples are overcome or until the judge relents.

Mr. President, however good may be the judges, however good may be the marshal, however good may be the governor of this Territory—and I have not a word to say against one of them—they are sitting there amidst the greatest possible excitement, with the greatest possible prejudice surrounding them, and that which might be tolerable and might be endured in some communities may be used as a grievously oppressive measure to those people and compel the woman to testify whether she will or no. Why, Mr. President, you will not do so in murder. Is this a greater crime than murder? You would not do it in rape; you would not do it in any of the great crimes known to the statutes. Why should you do it in this?

There are many other things in this bill that I say are inconsistent with good legislation, and it will not be any answer to me if the senator from Vermont should discover that some State had enacted even a law like unto it. I upon this question must act upon my own judgment and not upon the precedent of somebody else. I do not believe he can find such a precedent, but if he can it would not be sufficient to induce me to vote for that kind of a law.

Now another point. I called attention to it yesterday. Section 2 of this bill provides:

That in any prosecution for bigamy, polygamy, or unlawful cohabitation, under any statute of the United States, whether before a United States commissioner, justice, judge, a grand jury, or any court, an attachment for any witness, may be issued by the court, judge or commissioner, without a previous subpoena, compelling the immediate attendance of such witness, when it shall appear to the commissioner, justice, judge, or court, as the case may be, that there is reasonable ground to believe that such witness will unlawfully fail to obey a subpoena issued and served in the usual course in such cases; and in such case the usual witness-fees shall be paid to such witness so attached: *Provided*, That no person shall be held in custody under any attachment issued as provided by this section for a longer period than ten days.

That is to say, under this section if the court should conclude that the witness may not appear, he may be arrested and held for ten days and no longer. This does not interfere with the other question that I presented that the woman who should decline to answer might be guilty of contempt, and might be indefinitely imprisoned. I know there is a similar statute in the States with reference to the holding of witnesses to bail, but I know that it is a dangerous power to put in the hands of anybody at any time, much less in such states of excitement as will and must necessarily exist in the execution of these laws.

Mr. President, I called attention yesterday to the marshalship. I called attention to the fact that the marshal and all his deputies, with unlimited power to make them by the hundred or the thousand, was made the committing magistrate for every offense known to the law. The Senator from Vermont said in reply to the Senator from Alabama that it would be a discrimination if this corporation should be annulled, and yet I find that yesterday, with his sanction and support, the Senate almost unanimously voted that the provision for repealing the act conferring suffrage upon women should be abolished in Utah while it was left to exist in Washington and Wyoming Territories.

There are many harsh methods em