

## THE TENNESSEE CASES.

ONE ELDER INDICTED AND THE OTHER  
DISCHARGED.ELIZABETHTON, Tenn.,  
July 17, 1885.

Editor Deseret News:

We are here attending the Carter County session of the Circuit Court, which convened on the 13th inst., and which will take cognizance of the cases of Elders W. F. Garner and C. F. Christensen, who are under bonds for preaching polygamy.

Gen. J. M. Thornburg, of Knoxville, C. C. Collins of Elizabethton, and N. Tanner, Jr., of Ogden, are present to represent the defendants.

There are five Elders present from Utah and quite a number of Saints, who have come from their homes, distant from 20 to 50 miles.

A great many strangers are here, as this is quite a noted summer resort, on account of its altitude and excellent hotel facilities.

The court session is being attended by many prominent attorneys from the various counties of East Tennessee, which, coupled with the local bar and the numerous crowds of country visitors, witnesses, jurors, etc., make up quite an assemblage, affording a most excellent opportunity to sow the seeds of the Gospel and disarm prejudice.

Possibly the language of a leading citizen, this morning, better voices the situation than anything I could say. His query was: "Elder, if you had arranged it yourself to spread 'Mormon' doctrine, could you have found a better plan than your enemies have adopted?"

I had to confess that it seemed quite effective, and was certainly carrying it where we could not have carried it, but for the persecutive steps and measures of those who are contending against the truth, ignorantly and unwittingly it may be, but nevertheless occupying the position, that in the providences of an allwise God, simply results in building up His kingdom and bringing to pass His purposes.

Judge Newton Haeker, in his

## CHARGE TO THE GRAND JURY,

calling their attention to various offenses, read the anti-"Mormon" law, and charged them that if testimony was presented, substantiating the fact, that a "Mormon" preacher had sought to induce any one to practice polygamy a true bill must be found, on the ground that they had broken the law, and taught something dangerous to the morals of society, etc. The clause of the statute referring to the emigration of people to practice polygamy, he stated was in his opinion unconstitutional.

His charge was reasonable and just, devoid of prejudice, and all we could have asked for under existing circumstances.

A number of witnesses were examined, the result of which was the

## INDICTMENT OF ELDER C. F.

CHRISTENSEN

and the ignoring of the case of Elder W. F. Garner. From what information we can gain, the testimony that indicted Elder Christensen, was obtained after his arrest, in a conversation held with a Methodist minister, who asked him some questions on the subject, so that our enemies were forced into the position of securing an indictment on the most frivolous pretext, and after the arrest of an innocent man, while against Brother Garner no evidence could be obtained to hold him. In Elder Garner's case, he was arrested at midnight, dragged a distance of five miles, and caused to appear before a magistrate, who bound him over in the sum of \$500, to await the action of the grand jury. Good security was offered, all of which was refused by the magistrate, controlled by the prosecutor, the result being that he was thrust into a loathsome prison, confined in an iron cage, in company with thieves and murderers, remaining there six days, until satisfactory bail could be procured. He was afterwards forced to attend this session of the Court at considerable expense and annoyance, and when we reach the result of it all, he was innocent of even transgressing an unjust and unconstitutional law.

The following

## DEMURRER

was presented by attorneys for defendant:

In the Circuit Court of Carter County, Tennessee.

The State  
vs.  
C. F. Christensen.

And the said defendant comes and says he is not bound to answer the indictment against him otherwise than by demurrer, and for cause thereof assigns special causes therefore to wit:

First: That the matters and things alleged against him in said indictment do not constitute a criminal offense according to the law of the land.

Second: That the doing of the things charged in said bill of indictment do not render him liable to punishment under the constitution and laws of Tennessee.

Third: That the act approved April 9th, 1885 by the Governor of said State entitled "An act to define and punish crime of teaching polygamous doctrines and principles and of persuading persons to embrace the same" under which said statute this indictment is preferred against this defendant, is

unconstitutional, null and void, because:

1st: Said act is in violation of the Constitution of the United States, because it forbids the free exercise of religion.

2nd: Said act is in violation of the Constitution of the United States in this that it abridges the freedom of speech.

3rd: Said act is in violation of Article 14 Sec. 1 of the Constitution of the United States which provides that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

4th: Said act is in violation of Article I, Sec. 3 of the Constitution of the State of Tennessee, which secures to all men the natural and inalienable right to worship Almighty God according to the dictates of their own conscience, and prohibits the interference with the rights of conscience by any human authority.

5th: Said act is in violation of Article I, Sec. 19 of the Constitution of the State of Tennessee, which secures to every citizen the free communication of thoughts and opinions, and the right to speak freely on all subjects.

6th: Said act of the Legislature is unconstitutional, null and void, because the saying or doing of the things by said act prohibited are neither by said act made or attempted to be made a felony or a misdemeanor, but the same is left to be determined by the jury trying the cause who thereby legislate and by the punishment fixed make and constitute the same either a felony or a misdemeanor, as in each they may deem proper.

For the causes herein set forth, the defendant prays judgment of the Court and that his demurrer be sustained, and the said indictment be quashed and dismissed, and the defendant discharged.

ANDREWS &amp; THORNBURG,

NATHAN TANNER, JR.,

C. C. COLLINS,

Attorneys for defendant.

The demurrer was submitted without argument, by consent, and after some deliberation, overruled by his Honor Judge Haeker, principally upon the ground that his court was not a proper tribunal in which to test the constitutionality of a law.

The case was then continued to the November term of the Circuit Court, when Brother Christensen will be tried on the indictment.

A general

## GOOD FEELING PREVAILS

in this vicinity, and much prejudice has been disarmed by our mingling with the people, and letting them see that we are not the semi-barbarians that common report and rumor make us out. Altogether we feel to acknowledge the hand of the Lord in the matter, and that in the end all things will work together for good, to those who work righteousness.

Col. Wm. Green, of Hawkins Co., a prominent citizen, and former State Senator, kindly volunteered to go on Brother Christensen's bond, and has in many ways evinced the true spirit of a liberal-minded, broad-gauge philanthropic man.

We now separate; the Elders to return to their fields of labor, where they are doing much good, the Saints and friends to return home, and our enemies to cogitate over how much success has been attained in this effort to stay the onward progress of the Kingdom of God.

Yours truly,

MISSIONARY.

## POOR BLEEDING UTAH.

II CHRONICLES—CHAP. 10.

Now in the days in which we live, notwithstanding so many strange things are being done and performed by the crusaders, and all their strange acts if they were written would create great astonishment.

Yet know ye that these things must needs be; and though many devout men may be drawn into the meshes of the courts, and convictions follow through formal pleadings, know ye that every one whom they convict, and inflict punishment upon, causeth the crusaders to rejoice.

For in all the processes of these cases are small and various streams of shekels winding their way into the pockets of the fee hunters, for the love of filthy lucre aboundeth with them, and who knows but they may be laying up treasures for a rainy day when they shall be turned out of office? Therefore ye should not wonder that they seek to make hay while the sun shineth.

But ye who are wise will lay up your treasure in a more secure place, where it will not vanish, and where the fee hunters cannot thrust in their hands nor take it away from you.

Watch ye the signs of the times, and be not moved, because of some of the things which ye see, and because of the hardness of the hearts of the wicked. And of the continued howl made by a corrupt press, which seeketh to bring on a collision and cause bloodshed.

Be ye firm and steadfast for principle sake, for how beautiful upon the mountains are the feet of those who remain true to their families, their country and their God. Though the thumb-screws and the rack are set upon them, and cause much pain, yet in the end shall greater blessings abound. True is the plummet to the line, and even so is the true path of honor shown to the Saints; therefore, flinch not.

Though contentions arise in the midst of the people, and some are sorely tried, and begin to murmur and their murmurings are heard on the streets and in divers places, and they feel the effects of the crusade, yet know ye these be not full of faith.

How oft have ye been told of the perilous times to come? Will ye wait when ye see times even more perilous or will ye stand still and see salvation wrought for Israel?

Behold, in these days, many and divers teachers arise to lead off the unwary, and they exult in the crusade and have nets set ready to catch the feet of all that falter.

And because of these things they will lead off some whose light has been from the reflection of other light, and who are left in darkness when that reflection is removed.

Therefore they easily stumble, and fall into line with those who are fighting to overthrow this people, and who seek to ruin our beautiful country.

Know ye who made this country what it is? Do ye know who built the bridges and killed the snakes? Have ye forgotten who fought the crickets and grasshoppers? Can ye look back to the growth of nearly forty years in these mountains and not have cause to rejoice?

Who hath delivered Israel in all the trying scenes of the past? Who preserved the child in the wilderness when the dragon put forth out of his mouth a stream of water, with which to drown the woman and her child?

Can ye read the good books and not understand them? Can ye see the sun shine and call it cloudy weather? Can ye note all these things, and not know that they are for your good, even to the purifying of the body of the Church.

Ye wonder why men exult so in the crusade, and why there is much rejoicing when they entrap an honest, upright, God-fearing man; ye need not wonder at this, for the spirit of Herod is revived.

Was there any sorrow shown forth by the wicked when Jesus was nailed to the cross? Was there any sorrow when all the Twelve of olden times were destroyed that were permitted to be slain?

Were there any hearts of sympathy in the days of Nero? Christians in all ages had to suffer, and so ye shall have to meet the issue that is forced upon you.

Do you know that a martyr's blood for true religion was never atoned for on our earth? How can you expect to escape the plagues that will overtake the wicked, if ye partake of their sins and mix up with them?

Shall the souls which are under the altar cry in vain? Or do you shudder at the thought of that which is to come? Why will ye mourn because the wicked rule? Have ye faith in Him who ruleth on high?

Behold, this is a day of works, and ye should know for yourselves, and be diligent in observing what hath been told you in the past. How oft have ye been warned, and how are your feet prepared to walk in the straight and narrow way?

When ye see all your liberty taken from you, will ye not think ye are in bondage? How was Israel of old in the days of Pharaoh?

Ye must wait, for as it was in olden times, so shall it be in our day if they can bring it about.

Take no heed for yourselves only to dare to do right. Let the pot boil and the scum float off. Let all the world be arrayed against you, and the cloud grow darker and darker; these things are permitted, that you may be proven, even unto the end.

Plan after plan will be devised and enforced to take from you even that which ye seem to enjoy. And all things which have been said to you aforetime must come to pass.

And many shall rend you, and they will hold firmer their grip upon you, and apostates will increase and prate concerning you, and finally they will seem to have complete power over you; and then shall the end approach.

There may be lamentation in the land, children may seek to be comforted for their fathers, but they will not be comforted, for their fathers are not.

Many may run to and fro, and the heavens may appear as brass over your heads, and all rays of hope seem to be cut off, yet know ye if ye are firm and waver not, ye shall overcome.

Billows may seem to engulf the old ship, yet her pilot is trustworthy and she will weather the gale; and if ye stay on board ye may land safely in the harbor, but if ye jump overboard, ye shall surely be drowned.

There are many breakers in the way, and many ships have been crushed thereon, but our good old ship will steer safely through the snags and anchor in safety.

For what mattereth it if King Grover doth continue the wicked in power? What mattereth it if they be full of indignation and strong water, and froth at the mouth, and seek the blood of the Saints? Know ye that devils in all ages persecuted the Saints and sought to destroy them.

What if the Rats continue to squeal? The trap hath caught some in a very tender place, and they cry out for liberty, and make the same kind of noise that is made by the other fellows, who rave so much over their loyalty (?) and the wife question.

What if men toady to the crusaders and think to get honor of men, and save a few shekels, and say you must lay this thing on the shelf for a season? Know ye these men are not in harmony with the News nor with any who let light shine on their pathway.

What if poor bleeding Utah continue

to bleed, and all the vampires and leeches, with their grip-sacks, are clinging tenaciously to the Territorial seat and clamor for the pap? What if they seek to take the last drop of the life-blood of liberty from this country? What if capital be taken away and all business stagnated, and hard times and bankruptcy stare every one in the face? Did ye not live when grasshoppers were as abundant as deputies, sneaks and spotters are to-day? Did ye not live after they were gone, and will ye not live after these are gone? Oh ye of little faith, round up your shoulders and be men; be true to your country, be true to justice and honor; be true to your families and your God; and though the mouth of hell be open, and the infernal legions be turned loose, yet know ye the day cometh when they shall be bound, and ye shall have peace, and Utah will arise from the contest with the palm of victory in her crown, for she is destined to be the peer of the world. Hear it ye crusaders; do your work; we will do ours.

CHRONICLER.

## CORRESPONDENCE.

## SUMMIT COUNTY ITEMS.

KAMAS, Summit County,  
July 27th, 1885.

Editor Deseret News:

The 24th in this place passed off very quietly with no celebration except some foot and horse racing and dancing among the young people, the spirit usually had among us of celebrating the day, having flown to some unknown region.

We did not get the news of the death of Gen. Grant in time for us to show our respect for the illustrious dead on that day. We have a daily mail, which leaves Wanship, where the railway connection is, at 8 a. m., and the mail arrives there at 12 m., giving us a two days' daily instead of one, or, in other words, it takes two days for a letter to come from Coalville to this place, a distance of 23 miles. We have petitioned the Postoffice Department for a change so that the mail would leave Wanship soon after its arrival there, which would give us mail matter through from Salt Lake City and intervening places in one day. The Postmaster-General will not grant the change unless the contractor will sign the petition, which he refuses to do, thereby leaving the southern portion of the county in the same situation that we are.

The people living in Woodland Ward on either side of Provo river, according to previous arrangements, turned out on the 23d inst., to search for the body of Sister Elizabeth Almond, who was drowned on the 25th of June, near Moon's saw mill, about twelve miles southeast of Kamas, but they failed to find it. It was, however, found by a fisherman on the 24th about two miles below where she fell in, her body having caught in the forks of a tree in the river.

An inquest was held on Saturday, the 25th, by the Summit County Coroner, James McCormick, Esq., of this place. In accordance with the testimony adduced, the verdict of the jury is that the drowning was accidental, without any blame being attached to any one. Though decomposition had commenced she was placed in a nice coffin and buried the same day with respect to the dead and sympathy for the living, who mourn her loss.

There is a general time of good health and a fair prospect of good crops this season and a considerable improvement going on considering the dull times.

KAMAS.

## THE SNAKE RIVER COUNTRY.

EGIN, Bingham Co., Idaho.,

July 27th, 1885.

Editor Deseret News:

Thinking you and your numerous readers and the Latter-day Saints in general, would like to hear from this part of the country, I pen you a short account of the country and people here in Egin.

We have a good country here, situated on the north side of the north fork of Snake River, about eight miles from Rexburg and 24 miles from Market Lake, on the line of the Utah Northern railway. The soil is a sandy loam, and we can raise almost everything that can be raised in Salt Lake Valley. We have a good meeting house 30 x 18 feet, in which Sunday and day schools are held, with a good average attendance.

We have also a Young Men's and Young Ladies' Improvement Association organized, and also Primary and Relief Societies, and I must say the inhabitants of this vicinity are pretty good people, although not as united as they might be; but I believe they have a desire to do better and keep the laws of God let come what may.

There is plenty of good land here for parties contemplating making homes for themselves, and plenty of water for work, and I should advise all parties who want a home to come and see us and judge for themselves. We want plenty of good Latter-day Saints here.

A saw mill is in contemplation, also a boom; but a provision and dry goods store is sorely needed.

Respectfully,

Jas. G. Wood.

## BY TELEGRAPH

PER WESTERN UNION TELEGRAPH LINE.

## AMERICAN.

NEW YORK, 30.—A circular signed by Chester A. Arthur, chairman, Wm. M. Grace and Hamilton Fish, vice-chairmen, and Richard T. Greiner, secretary, of the Grant Memorial Committee, was issued to-day. It says: "Attention will soon be taken for the organization of committee to represent the entire country for the erection of a suitable monument above Gen. Grant's grave. Pending this, the committee calls on all newspapers, railways, graph and express companies, masters, banks, bankers, churches, municipal authorities, commercial bodies and exchanges, manufacturers and business establishments to cooperate in the immediate collection of contributions to be forwarded to Drexel, Morgan & Co., for this committee, or to the mayor of New York all contributions to be acknowledged by the committee."

The Western Union Telegraph Company to-day sent instructions to managers of all its offices throughout the country to receive contributions from the public and forward them to the committee.

SAN FRANCISCO, 30.—In the divorce case on appeal, counsel for the plaintiff (Miss Hill) petitioned the Supreme Court for a rehearing of the order made June 29th, staying the payment of alimony and counsel fees awarded to her. Judge Sullivan of the Supreme Court granted the petition with the provision that the rehearing be confined to argument on the character of the bond filed by Sharon, the defendant, and whether the bond is sufficient to stay the payment of alimony and counsel fees. The Supreme Court decision states: "In case when fact of marriage is the real issue, alimony should of right be paid the fact of marriage or no marriage determined, for reasons, that can be no such thing as alimony in the relation of husband and wife fact exists." The restriction of hearing to the character of defendant's bond has created great dissatisfaction among the counsel for plaintiff.

WASHINGTON, 30.—The President having been requested by Mrs. Grant to name the pall bearers for Gen. Grant's funeral, has appointed the following: Gen. William T. Sherman, Lieutenant-General Philip H. Sheridan, Admiral David D. Porter, Vice Admiral Stephen C. Rowan, Gen. Joseph Johnston, of Virginia; Gen. Stephen Johnston, of Kentucky; Hamilton Fish, of New York; Geo. S. Boutwell, Massachusetts; Geo. W. Childs, Pennsylvania; John A. Logan, Illinois; Geo. Jones and Oliver Root, New York.

PORTLAND, Ogn., 30.—News here to-day of the collision of the Straits of Foca Tuesday, between steamboats, Enterprise and the Rithet. The collision occurred broad daylight, and is supposed to be the result of a misunderstanding of signals. The Enterprise is a wreck, but her passengers, about 100 number, are supposed to be all safe though it is as yet impossible to say. Many passengers were thrown into water but were picked up. Chinese passengers tried to take only available boats, and being backed, tried to take all the life preservers, but in this effort they failed. Accident occurred about ten miles shore.

NEW YORK, 30.—Dr. Shady will publish in the Medical Record of August an extended review of the "sanitary and pathological aspect of Gen. Grant's case." He believes that disease had its inception during the month of June, 1884, and gives a concise history of the progress of treatment of the case from the October last when Gen. Grant was called on Dr. Fordyce Baker, his family physician, up to its fatal termination. It suggests no new theories regarding to the case, and it is rather tended to be a connected narrative of the benefit of the medical profession being largely couched in terms familiar to that body.

REGINA, 30.—In the Riel trial the case for the defense was opened by Mr. Green Shields, who said the line of defense would be to prove the prisoner's insanity.

Father Andre, of Prince Albert, testified he believed Riel insane on religious and political grounds. Dr. Ray, medical superintendent of the Beaufort asylum, Quebec, testified to the same effect, basing his testimony on observations when Riel was in the asylum from 1878 to 1879. Dr. David Clark, of the Ontario lunatic asylum, shared the belief. Dr. Walike, of the Hamilton asylum, believed the prisoner insane. Riel was much excited during the examination as to his sanity.

MOUNT MACGREGOR, 30.—Mrs. Grover who has remained in the upper room of the cottage since the General's death, last evening descended to the parlor, where she viewed the remains of her husband after they had been composed in the casket. To-day she is as usual; her mind distressed, physically well.

A severe thunder storm occurred in the mountains this evening. The electric fluid entered the cottage, tearing off some of the plastering and extinguishing the electric light above the casket. Col. Beck, commanding Battery A, Fifth Artillery, from Governor's Island, and General R. Jackson, commander at Fort Columbus, Governor's Island, were rendered insensible by a shock from a bolt and it was feared for a time that