

DESERET NEWS: WEEKLY.

TRUTH AND LIBERTY.

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THE POWERS THAT BE.

THE statement that we are undergoing peculiar and previously unheard-of experiences as relates to the judiciary of the Territory, has been made and proved in these columns so often, that to do so now would be useless reiteration of accomplished facts. But new instances and cases appear almost daily, and to these we must refer as not only chroniclers of but commentators upon what happens from time to time affecting the welfare of the community. It was sincerely hoped, and by some devoutly believed, that such departures from what we had reason to suppose were immovable principles as have characterized the rulings and proceedings of Judge Zane, might find their be-all and end-all with that gentleman; but it is not only true that we are disappointed in that respect, but that others, encouraged no doubt by the success of his open *venire* project and the boldness with which he has since launched out on the open sea of experiment, have become dangerous if not superior rivals, and the question now forces itself upon us as to whether or not we have any irrefragable methods and rules which may not be changed from day to day at the caprice of the judiciary.

In all respects, and whenever an opportunity is presented, Judge Powers, the presiding judicial factotum of the First District Court, has shown a disposition to eclipse all previous records and make for himself a solid reputation as the navigator to lead us on to an *ultima thule* of legal discord and derangement. We have previously referred to and spoken of some of his startling creations, but he seems as inventive as an Edison and, like a certain showman, doubtless says (but in silence), "Don't be carried away just now; keep your seats; there's something wonderfuller than this coming." If he does not say this, he might do so with propriety, for nearly everything he does is "wonderfuller" than anything preceding it.

The latest feat in the direction of overcoming the law and setting aside justice was accomplished by Powers at Provo the other day. The occasion was the trial of the Watts brothers on the charge of grand larceny. Mr. S. H. Lewis, the United States District Attorney's assistant at that point, announced to the court that he desired the co-operation in the conduct of the case, of Mr. S. R. Thurman, the attorney employed by the Utah County Stock Growers' Association, and who had first prosecuted it when taken before the justice at Nephi, for the reason that Mr. Thurman was quite as familiar with the case as he himself was, if not more so. To the astonishment of everybody, we are informed, and doubtless the chagrin of the prosecuting officer, the Court ruled that the expected assistant could not assist, as his honor did not propose to have private corporations represented by attorney in criminal prosecutions. Perhaps his honor overlooked the fact that this particular corporation was an adjunct to the facilitation of justice in the First District, having in view among other things the protection of property and the conviction and punishment of criminals. The fact that men who own stock and are daily pirated upon should take such steps, in the peaceful and proper course prescribed by law, to protect their property and enforce the statutes in such case made and provided, instead of acting vigilantly and destructively as is often the case elsewhere, would seem to be a course entitling them to commendation and encouragement, as well as such assistance and support as the courts could properly render; but Judge Powers evidently thought otherwise. If a conviction could not be obtained without assistance from outside, let the accused go—and they did. But would he have been as liberal had the charge been polygamy or unlawful cohabitation? The record answers—no.

The two Watts were separated for trial, and each was a witness for the other of course. We don't know how or what they swore to and don't care, but presume, from the nature of the case and its outcome, that it was an exhibition of pretty tall swearing. There was plenty of evidence on the People's side, but it was either indifferently presented or things must have been "fixed" beforehand; for, examining the case in the light of common sense, leaving law out of it entirely, there was every indication of a case for the prosecution. The property lost (a calf) belonged to McIntyre Brothers; they found it alive, and subsequently its hide only, in the possession of the

defendants, who claimed it as their own, but there had been no sale or trade. Still, they were not guilty of anything, but evidently Judge Powers thought the owners of the calf were, for he cited one of them (the complaining witness) to show cause why he should not pay the costs of the prosecution! For a wonder, the rule was afterwards discharged; to have enforced it would have created no additional surprise.

Judge Powers is making a record. It will do to refer to again.

THE CRAWFORDS.

THE following, which originally appeared in the Eagle Rock (Idaho) Register, will be appreciated wherever the parties referred to are known:

"It is rumored that the honorable Judge Willard Crawford, Esquire, of Malad, Oxford, Soda Springs, Blackfoot and Eagle Rock; the honorable Geo. N. Crawford, Esq., member of the last Legislature of Idaho; the Hon. Schuyler B. Crawford, Esq., bronch rider, and the Hon. Frank S. Crawford, Esq., of ———, profession unknown, will each hold a democratic convention in Blackfoot, commencing with that of Willard Crawford, member (still) at large of the Territorial Democratic Association, on the 24th inst.

Individuals who make up an unsavory family name should not be made the subject of reproach or ridicule through that name, as a rule, since it is principles and acts that make or unmake, names having nothing further to do with it than merely to answer purposes of identification and classification; but the name above referred to has become so conspicuous and malodorous throughout northern Utah and Southern Idaho as to place it beyond the pale; and without incurring the charge of invidiousness, the family tide may be freely referred to.

These Crawfords have been floundering around in the pool of politics for several years; never having any present affiliations, they are ever and always on the alert for the next probable or real development, that their sails may be trimmed to catch the breeze from that quarter, and by such means they have been blown about on the open seas at the mercy of the capricious winds till they have lost their bearings and have no port in sight or expectancy. In Idaho especially, they are political Ishmaels, running against everybody in turn, and being run against by everybody always. The one first named in the satirical reference of the Register, Willard Crawford, once pretended a conversion to the principles and practices of the Latter-day Saints; he joined the Church (outwardly) and remained in it long enough to marry a "Mormon" girl; after which there was a perceptible and steady decline in his fussy zeal, and subsequently he got to looking upon all references to his connection with the Saints as so many affronts—if there were any outsiders present, but in the presence of the former exclusively he was as loyal as the essence of loyalty. Going to Idaho and living nomadically as a lawyer, he was as shifting in his professions as in his places of residence—sometimes a "Mormon," sometimes not; sometimes a Democrat, occasionally an Independent, and very frequently nothing at all, this last-named condition seeming to fit him so exactly that it is a pity he ever tried to fill any other. The crowning feat of his absurdity was the suit for \$50,000 damages to his "reputation," against the ushers of the Salt Lake Theatre for not rushing around frantically to provide him with a seat in a crowded house, when he could establish no title to the one he claimed, and after making a spectacle of himself, withdrew.

The second on the list printed above, George N. Crawford, established a newspaper at Soda Springs, and claimed to be able to show people thereabout that he would some day be the Moses to lead them out of the wilderness; he would not be a "Mormon" but would publish nothing against that creed and nothing offensive personally to its members as such, and thus, by lading out to them in weekly doses an article of pure and unadulterated Democracy, would make southeastern Idaho a Democratic stronghold, protection to them from political aggression coming as a measure of reciprocity for their steadfastness, of course. A sop to this Cerberus from the enemy's camp soon broke up the Moses business, and whooping and hurrahing for the awkward squad whose object was the voting and legislating themselves out of office by destroying the "Mormon" vote, was his care by day and his watch by night. The infamy was successful, and that most outrageous of all recent legislative villainies—the disfranchisement bill—became a law; by its terms every voter who refused to take an anti-"Mormon" oath was deprived of the right of voting or holding office—and when the foul treachery was consummated, this Janus-faced varlet shouted himself hoarse with joy. That is the kind of a man he is.

The Register's suggestion is timely and proper. The Crawfords are not wanted by any party, because not to be relied on for the whole of one campaign; and they might as well hold a convention of their own and accomplish what they can from that. The

sensible people of that part of the country will do well to let this particular family severely alone.

THE FEE SEASON REOPENED.

THE fee industry does not seem to abate a particle of its zeal through the recent lapse in the matter of the distribution of the loaves and fishes. Mr. Henry Grow was arrested yesterday afternoon by virtue of a warrant issued out of the "court" of one McKay, the charge upon which the process was issued being the said McKay's specialty—unlawful cohabitation—of course. The officer who made the arrest took the prisoner before Commissioner Gilchrist, and, having waived examination, he was held in \$1,500 bonds to await the action of our presently patched-up grand jury; the sureties were immediately forthcoming and the defendant expected to depart, but not for long did he entertain any such hope. Before the document which would have temporarily freed Mr. Grow was completed by the Commissioner's sign manual, Deputy Vandercook dawned upon the scene and marched the defendant off to McKay, who, the deputy stated, had issued not only the warrant but a subpoena for the witnesses as well. At this latter tribunal of primitive "justice" (as interpreted by the courts), a recent accession to the prosecuting ranks, so far as this district is concerned, in the person of J. B. Critchlow, who was expected to do the heavy work for the occasion *vice* Dickson, absent, was also absent, with a request that the proceedings go over till tomorrow, and as the will of the government's prosecutor or any of his satellites is the great charter by which the Commissioner is bound, directed and controlled, the case went over as desired, Mr. Grow giving another obligation to appear in the morning. As the witnesses who appeared had previously taken their departure by leave of "court" first had and obtained, came then Deputy Collin, who desired the prisoner to inform the witnesses that they must be on hand at 10 a. m. tomorrow. What he (the prisoner) said or did, we do not know; he ought to have told the officious official to attend to his own work if he wanted it done, and might have appropriately suggested that a man under arrest is not a proper person to be charged with the conduct, in or out of court, of proceedings against himself, and that, so far as he was concerned or cared, the witnesses need not come at all. But perhaps he did not do this.

Meantime, the fees are flying around like snowflakes on a cold day, which McKay seems to think it will be when he gets "left" by any other Commissioner. Great is the law when the lure is immediately forthcoming!

HOW VERY "CHRISTIAN-LIKE."

THE following appears among the press dispatches in the San Francisco Chronicle:

"Tolano (Ill.), October 22. — Two Mormon missionaries have been holding public meetings here during the past week, with a view to making converts. Their exhortations and promises were alike fruitless, and to-night an organization of forty indignant Christians swooped down on the school house, where a small crowd was reveling in the prophecies of Joseph Smith. Cobble-stones and rotten eggs comprised the armament of the invaders. The missionaries heard of the eruption and sneaked away through the darkness to the nearest railroad station."

As to whether the facts are correctly stated in the foregoing or not, we are unable to say, not having heard of the occurrence from any other source, but as it is by no means uncommon for Latter-day Saint missionaries to be assaulted in the manner indicated, it is quite possible it is true.

But mark the awful offense of which these two "Mormon" missionaries were guilty! They had actually been holding public meetings with a view to making converts! In view of their monstrous audacity in going to a town in Illinois—that State in which their former leaders were murdered for daring to advocate an unpopular religion; the State which expelled 20,000 of its citizens and confiscated their property for the same reason—and there hiring school houses and inviting the people to attend, free of charge, and listen to them preach, is it any wonder that an organization of forty indignant "Christians" swooped down on the school house "armed with cobble-stones and eggs" with which to pelt them? Why, the little crowd of hearers who had assembled in the school house are said to have been actually reveling in the prophecies of Joseph Smith! Shocking! What right had they to do any such thing? The gravity of the offense was enough to arouse the indignation of the valiant band of forty. How proud Illinois should be that the valor of her citizens has not departed, but that of the noble forty at least who "swooped down" upon those two "Mormon" Elders is equal to that exhibited of yore by the militia battalion stationed around Carthage jail by Gov. Ford for the ostensible purpose of guarding Joseph and Hy-

rum Smith whom he had pledged himself to protect, but who knew his wishes and carried them out by blackening their faces and murdering their prisoners.

The press dispatcher evidently counts on the whole nation applauding the bravery and righteous indignation of those forty "Christians" and the very "proper" method they adopted to get rid of those two offensive "Mormon" Elders, from the slipshod manner in which the telegram is worded. It is almost equal in that respect to the closing sentence of the following paragraph, which we clip from an eastern exchange—

"John Morgan, the Mormon Elder in charge of the missionary work of the Latter-day Saints in the Southern States, says the work is going gloriously on with them, and that never before was known such a demand there for Elders as now. There is an indistinct recollection that the last batch of Mormon Elders that went down there had the pith punched out of them."

How very Christianlike such sentiments are! How eminently worthy of the enlightenment of the age, and the boasted liberality and law abiding character of the American nation!

"THE TWIN RELIC."

THE New York Telegraph, a new two-cent daily, is at hand, presenting a rather bright, enterprising, newsy appearance throughout the whole of its eight pages. That city was pretty well represented in the matter of dailies, as well as other periodicals, and the new venture will have to take its place at the foot of the class and crawl upward through the force of competitive examination, if at all, and this it will find difficult, laborious work, involving not merely the closest attention to every department and the employment of a small army of first-class journalists, but an immense amount of capital and no little influence.

Judging by an article in the eighth number, we should say its editorial staff already needs revision, for a more short-sighted, incomprehensive, unstatesmanlike and unargumentative editorial "chestnut" than that we have not lately seen. Even the title is somewhat suggestive of ante-bellum days, but as a good article may follow a bad caption, we have no desire to place special stress upon that, preferring to deal with the article as a whole. It occupies half a column, is headed "The Twin Relic," and the following, which is the first paragraph, is a fair index to the whole:

"It is not singular that polygamy should be a twin. Barbarism has been prolific of monstrosities. It is too much to hope that this is its only offspring remaining as the heritage of American civilization. These relics have been likened to cancers on the body politic. The excision of one cost the loss of much blood, and some risk of the life of the patient. This Rocky Mountain cancer, which was but a pimple a few years ago, is spreading through valleys and over mountains, poisoning the life blood of nearly every Territory of the United States."

The second sentence, intended to support and confirm the first, is in reality a very stupid *non sequitur*, as the reader will observe by noting carefully. "It is not singular that polygamy should be a twin" because "Barbarism has been prolific of monstrosities;" this is not reasoning from cause to effect, not establishing a premise and having another condition appear as a conclusion; it is not reasoning at all. Twins are not monstrosities, but exactly the reverse; they are products of nature in its healthiest and most fruitful estate, therefore superior creations, while a monster is an aberration or partial diversion of nature, one representing production of all the parts, the other destruction of one or more of them. Twins may be monsters, have been, in fact, but so rarely that such instances cannot fairly be used in support of the position taken by our New York cotemporary. Of course, it speaks figuratively, but the figures should be harmonious, otherwise what was intended as the lance of intellect may prove the boomerang of the bushman.

Then, again, the Telegraph thinks it beyond hope that this "twin" should be the only part of barbarity's offspring "remaining as the heritage of American civilization." This is another awkward figure of speech, "heritage" being that which descends to us as a gift by succession to become our own; and as polygamy was not in existence on this continent when it was first peopled by the whites, nor for over 300 years later, long after the present civilization was created and became diffused in fact, how can the former, as a subsequent creation, have descended to the latter as a heritage or otherwise? So far the article referred to is a blunder, and later on it is more so; because in the first instance its departure is more rhetorical than substantial, but in all succeeding sentences, with perhaps one or two exceptions, is erroneous in essential and collateral sentiments.

"These relics have been likened to cancers on the body politic." This is better from a literary standpoint only, because the cancer appears if at all af-

ter the body is formed; but by using the alleged simile as a part of its "argument," the Telegraph becomes responsible for it and can be replied to as though itself had originated the statement. A cancer is an excrescence which devours the flesh in which it grows and eats into the vitals; it is as loathsome in appearance and form as it is destructive in its growth and progress. Its purpose is not the furtherance of good and strengthening of mankind, but quite the reverse. This is the kind of thing our cotemporary compares polygamy to, and, inferentially of course, makes those who practice the doctrine associates thereof in its denunciation.

We should like to have it fortify its "argument" by something more argumentative and logical. What in the nature of destruction or corrosion can it find as the result of what those who practice polygamy in Utah have accomplished? It says in another place that the two ideas of the family and the harem are wide as the poles asunder—and so they are; still no argument nor a chance for one. The family is in Utah as it ought to be elsewhere the clustering together in a so binding yet so gentle, so lasting and so pure, that evil thoughts, bad deeds and corrupt influences cannot enter; a harem is a place where fleshly lust is gratified and where nothing ennobling, generative, educational or spiritual holds sway. The difference is all that the New York paper says it is, and more too. But does it pretend, even upon that slight presentation of its position, to claim that the polygamous household of the "Mormons" and the harem of the barbarian or the civilized millionaire are identical? If it does, it is as weak in its position as it is in its words. Here, connubial association between the sexes is taught as a doctrine of divine origin, the duties and responsibilities imposed upon the man with a plurality of wives being the same as those resting upon him if he had but one, only increased in proportion to the number—strict morality, humility before God, straightforwardness with man, and the begetting (not the prenatal destruction), care, education and support of children, being the grand objects sought. Is there the slightest possible resemblance between such a condition of things and the other? Where are the essentials of a parallel? Or would the Telegraph have it all "cut out" as a "cancer"? It does not say so, nor does it wish to be so understood, whatever its meaning, for further on it asks for that operation to be applied only to Utah, and says:

"If the Edmunds plan will do it, let the law be executed to the letter without an hour of hesitation or thought of leniency; and if that will not suffice, apply more law and bet execution. The extirpation of 'relic' cannot be accomplished a moment too soon. It will not do for it to prove a balance of power, to move legislatures and awe and control Congress. Is it too much to say that it has done something of both already?"

We can inform our cotemporary that the Edmunds plan is not only being executed "without an hour of hesitation or a thought of leniency," but that such adventitious aids as jury packing, usurpation, spotting, sneaking and lying have been dragged in to further the inglorious cause; but the "relic" is not extirpated, and if the information can be made useful in any quarter, we will state further that it never will be. The fact of a dozen, a hundred or a thousand men spending a part of their lives within impassable walls and behind iron bars, does not change their faith or that of their brethren; nor do tyranny or misdirection in "high places" change a principle founded on the edict of nature; nor do the venal adjudications of mission courts remain irreversible or of long standing in the presence of the Supreme Judge of the world.

No, the Edmunds law will not do what is required and hoped for, but it is as efficacious as any other that could be framed on this subject, since "kings, laws, tyranny or guilt can but imprison or kill;" the soul, the faith, the hope of men who live or try to live acceptably before the Lord, are imperishable in or out of the presence of any agency of man.

Perhaps it will not do for it (the "relic") to become a "balance of power" whether it has "partly done so already" or not. If those who practice or believe in the "relic" held the balance of power in "Legislatures and Congress itself," we would soon have such laws as would place a premium upon virtue and punish vice to the utmost extent consistent with its character. The painted harlot would no longer parade the streets in purple and fine linen, the pet of old and panderer to a host of anti-polygamous American gentlemen; legislators who made common terms with corruptionists would be expelled without hope of return; and many Congressmen would be irretrievably ruined through being compelled to live up to the same standard of morality which they hypocritically prescribe every now and then for the people of Utah. Education, cultivation, the arts and sciences, agriculture, manufactures, mining, everything useful or beautiful would be encouraged and promoted, while ungodliness, oppression, lawlessness, and all the elements leading to decay, and those who support them, would no longer flourish. If the Telegraph thinks this is an exaggerated and vainglorious statement of what would be or sought to be accomplished if the people of God held