

the arm of Federal authority is further thrown around the debauchees to shield them from exposure. The next move is to engage the judicial power of the government in this Territory to prevent the local authorities from doing their duty in executing the law against resorters to houses of ill-fame.

The particulars of the latest effort in behalf of "sporadic cases" of sexual iniquity, of those "gentlemanly" excesses and that elevating beastiality which the *Tribune* palliates as "the common vices of humanity," will be found in another part of this paper. Other details will follow, and our readers will be furnished with a full account of the final act in the drama of "How to Encourage Sexual Crime in Utah."

The purity, love of virtue, desire to protect the home and preserve the integrity of the family, which shine so eminently in the professions of the crusaders against plural marriage, will be fully gauged by their perfect absence, before the present proceedings are completed. Look out for the finale.

THE PLEA OF THE "RESORTERS."

THE last resort of the "resorters" exhibits more plainly than ever their terror at the exposure of their filthiness, which was bound to attend their prosecution for lewdness. There are circumstances attending the Yearlan case which render it necessary, in order to screen other guilty parties, that something should be done to close the mouths of the eye and ear witnesses to the vile practices of professed advocates of purity in this city.

According to the Federal courts, lesser and greater, the regulation of ordinary sexual improprieties, the punishment of common sexual crimes is left to the local laws and the local courts. But when those courts undertake to enforce the laws, they are obstructed at once by the power which jealously says they should perform this duty. The attitude taken in regard to the filthy debauchees who have been detected in their orgies is this: The Federal officers will not prosecute one of the lechers. If the lower courts, municipal or county, attempt to do so they shall be blocked by every means at the disposition of the higher courts.

It is not pretended that these degraded samples of respectability and social purity are any of them innocent of the crimes laid to their charge. When a mistake was made in the arrest of a man not charged with the offense but of the same surname, being the brother of the real criminal, what a parade was made of the fact that an "innocent man was charged with a vile crime!" The officers were accused of trumping up the charge out of malice, and a great deal more on the same strain. It was a simple mistake, but not a tenth part as bad a break as the arrest by the U. S. Marshal of the man who, after being confined several days in the penitentiary, has been turned loose without compensation. The mistake made by the police was rectified on the instant. The error was simply the wrong initials of the name. The right man was secured, proving the matter to be only an error. The huge blunder in the case of the Federal officers was lauded to the skies by the same parties who abused the police for their brief mistake, which was harmless in its consequences.

The cry of "arresting the innocent" has not been raised in the case of any of the culprits saved from punishment by the higher courts. No one pretends they were not guilty of the crimes of which they were accused. Neither of them dares to test the matter. There is not a case "on the list" but what can be substantiated by the most positive and unimpeachable evidence. It is now claimed that it is not in the interest of justice to prosecute them. That is, the welfare of society does not call for the punishment of beings in the shape of men, who disport themselves in beastly and carry contamination into their homes and families.

It is for the good and protection of society to break up loving households and put a man in jail who has two wives whom he regards with tender affection and virtuous care; but society is not injured by the illicit association of men and women under the most libidinous and revolting circumstances, and the home is not menaced by the exploits of the husband with harlots, and his baguio diversions in Adamic costume. Down with plural marriage, but shelter, encourage and promote prostitution!

It is claimed in the petition for the accused that the complainant and the Justice are "Mormons" and he is not. Thank heaven that he does not pretend to any connection with the "Mormons!" If he had any they would take immediate steps to cut the foul connection. But it is something new to advance in a legal plea, that a man must not be accused by one tried before one who is of a different faith from his. Suppose the rule was worked the other way, and it was claimed by a "Mormon" selected for a victim, that the Judge, Prosecutor, Marshal, jury and all engaged in the prosecution were "Gentiles," while the prisoner was not. What a jolly smile would greet such a plea in court!

But the assertion is made that these

prosecutions are intended to terrorize persons who are not "Mormons." The falsehood of this statement is made apparent by the facts. Two so-called "Mormons" have already been convicted of a similar offense. The "Mormons" will take care that they do not offend again under that name and standing. But it is very clear that those who engaged in the work of detecting "resorters" to houses of ill-fame for lewdness, had no bias for or against any particular creed. All were fish that came to their net, "Mormon" or "Gentile," Indian or Jew, whoever was detected in the iniquity went down on the list.

It is because their evidence is so positive, because the guilt of the lechers is so unmistakable, that courts and attorneys and all the power of a venal press and official influence, are brought to bear to screen them and prevent both exposure and punishment. And there is a dread in many quarters that springs from a consciousness of flagrant guilt. The list is large. The number of the vile and debased is great. Many of them pose as spotless citizens, who are so opposed to plural marriage that they say they can hardly breathe the air infected by "Mormon" presence. They are double-dyed Pecksniffs and thrice-polluted libertines, and they tremble at threatened exposure. By all means their lechery must be covered up. It is not for the interest of society that they should be touched. Theirs are "only the common vices of humanity" and numbers think, they are but "like the rest of us."

The petition argues that the Justice knows that if a conviction is had his judgment would be set aside on appeal. What a statement to make and to be acted upon by the higher court! Without regard to the guilt or innocence of the accused, the character and conclusiveness of the evidence against him, the lack of anything to disprove the charge or the testimony, he is certain to be set free on appeal without trial, in the Federal court, if convicted of the vilest lasciviousness in the lower court!

But this being true, why should not the lechers be prosecuted in the court that has jurisdiction of their cases? Why should not the local courts discharge that duty which devolves upon them according to the rulings of the higher courts? If a higher court will not perform its duty, is that any reason why the lower court should be derelict? The Justice is bound to try the case when it is legally presented, and the example of a higher court which dismisses cases of unmistakable guilt without trial, is no guide for an honest magistrate, sworn to administer the law impartially.

What reason is there against prosecution, in the fact alleged that the name of a reputable lady is involved in the filthy case. If reputable ladies engage in disreputable practices, are they not as liable in the law as the libidinous man. How much respect for reputable ladies is shown in prosecutions for polygamy or unlawful cohabitation? But they are "Mormons," that makes all the difference.

Oh! by all means restrain the Justice from trying any of these cases! There are names connected with some of them that are too holy to be mentioned. The wives of the befouled resorters will learn of their lechery. The public will know of their nocturnal carousings. There is no telling who will be proven guilty of the "gentlemanly" diversions and bovine capers included in "the common vices of humanity." Therefore Oh! Supreme Court, come to the rescue of the respectable libertines and anti-polygamic, whoremongers, and when you want to be severe and puritanic take it out of the "Mormons." Show no mercy to the plural-wed husband, but cast your ermine as an impervious mantle around your "Mormon"-hating and highly scented admirers and friends. Selah!

"CHARGE IT UP."

GOVERNOR MURRAY is anxious to pile on to the shoulders of this Territory the mountainous bill which the Treasury Department has been charging up for expenses in the courts and the keeping of Territorial prisoners in the penitentiary. His sympathies and interest are never with the people of whom he is supposed to be a component part. His speeches and actions show him up as a foreign and discordant element. This bill, which he denominates "a debt," was not placed in his hands to collect, or with a request to demand its payment, but he applied for the figures which, as a matter of form, appear on the Treasury books as expended for courts in Utah.

This so-called debt has been accumulating for nearly a dozen years. The Poland law, which was passed June 23d, 1874, abolished the offices of Territorial Marshal and Attorney, and vested the duties of their callings in the United States Marshal and Attorney. Previous to that time the duties of those United States officers were to attend to United States business in the courts, the Territorial business being performed by Territorial officers. The Territorial expenses, of course, were paid out of the Territorial treasury, and the expenses of United States business out of the United States treasury. The Territorial Marshal disbursed the appropriations of the Legislature for Territorial court expenses. He was the people's officer

and disbursed the people's money. He was responsible for his official acts to those who furnished the funds. But the United States Marshal was not an officer of the people. They had nothing to do with his appointment, they had nothing to do with paying him; he was not responsible to them for his official doings. Therefore they entrusted him with no funds to distribute.

Congress undertook to interfere in this matter and through the misrepresentations of the then U. S. Marshal—Maxwell, diverted the money which should have been paid to the Legislature for salaries of members, etc., to the payment of court expenses, unless the Legislature should appropriate the amount—a little over \$23,000. The Legislature could not do this as a matter of principle. Congress had no right to legislate money out of the Territorial treasury, nor to require its funds to be put into irresponsible hands. However, \$22,000—that is \$11,000 for each year, was appropriated for payment of jurors, etc., for the ensuing two years, but not to be disbursed by the United States Marshal.

The \$23,200 which should have paid the legislators, was turned over by the Government to the U. S. Marshal, who proceeded to squander it in a manner that we need not now explain. The record is one of shameless fraud, false vouchers and the common devices with which U. S. Marshals in Utah, Kentucky and other places are familiar, to run up expenses and swallow up appropriations. It was a lesson to our legislators. They determined that the Territory should not be swindled as the Government had been. And as the Government had undertaken to regulate court affairs and expenses by its own officers, it was only proper that it should pay those expenses. Just so with the penitentiary. It was originally a Territorial prison conducted by Territorial officers. The Government took it out of the hands of the Territory, put it in the control of the United States Marshal, and Territorial prisoners and also persons detained for trial, many of whom should have been confined in the county jail, were sent to the penitentiary. The Government and its officers assumed the regulation of these matters, and therefore had to pay the expenses.

Charging them up to the Territory is an airy fiction. The so-called "debt" is a paper liability. It has the form and pretense of a charge, but it has no substantial body as a binding obligation. The Governor thrusts the bogus claim under the nose of the Legislature as an irritant, and if possible as an intimidation. The Assembly, it is safe to say, will not scare worth a cent. They understand the motive of the Governor, and the spirit of all his petty projects, small-souled obstructions and spiteful annoyances.

The Government can liquidate its own debts, settle its own bills, manage its own treasury. It cannot legislate a dollar or a dime out of a Territorial treasury. It may undertake the task, but it has no lawful authority to do so. The people have the right to say what shall be done with their own money, and if the Government attempts to make expenses the Government can pay those expenses or "charge it up," ad libitum.

THE MARSHAL AND THE "NEWS."

If a statement made in an obscure sheet called the *Democrat* is true, Marshal Ireland has been worrying himself about the article contained in the *Deseret News* last Friday evening, which set forth the rights of citizens and the limits of the duties of officers making arrests and serving papers. He is reported as saying the editorial contained "most infamously false statements regarding the conduct of his deputies."

This is most likely an inaccurate report, as the editorial did not contain any specific statements of the doings of the deputies; they were contained in a report of the previous evening. If there is any inaccurate statement in the *News* about the deputies who raided West Jordan or any other place, the *News* will take pleasure in correcting the statement and doing the deputies justice.

If he said, as stated in the *Democrat*, that the editor manufactured the statements of fact, he said that which was untrue and without justification. The writer of the editorial only learned of the facts through the local report, which was obtained from parties present at the time of the occurrences described. And that report has been confirmed by the statements of the Marshal's organ, which were different only in some unimportant details.

The *Democrat* says the Marshal was "much agitated." That would account for another remark credited to him in that paper, and be some excuse for its utterance. It is that the *News* either purposely or accidentally failed to include in its quotations from the laws a provision which authorizes officers when making arrests to break open a door or window, etc. The truth is that there was neither purpose nor accident in the alleged omission, because it did not occur. If the Marshal had not been so "much agitated" he would not have "either purposely or accidentally" overlooked the following, which we take from the article he was criticizing:

"When an officer is making an arrest under authority of a warrant he must show the warrant if required. But he may break open a door or window of a building in which the person to be arrested is, or in which he has reasonable grounds for believing him to be, after having demanded admittance and explained the purpose for which admittance is desired. See laws of 1878, p. 153."

This is the identical citation which the Marshal is made to say was purposely or accidentally omitted. Either the Marshal made a big blunder in his "agitation," or the *Democrat* reporter, as is not uncommon with him, made worse than a blunder. That reporter said he rejoiced that he was not a *News* reporter. He may continue to rejoice. There is no earthly probability of his ever rising to that position. The *News* has no use for persons of his calibre or principles. If Marshal Ireland desires to be properly represented on this subject, our columns are open to him. If there is any injustice done to any of his deputies in what we have said, if he will only inform us, we will see that the injustice is repaired.

And we repeat what we have said all along on this matter: It is only the lawless execution of the law that we complain of or would resent, and anyone who will read what we have said, without agitation, will see that we do not want to provoke, but prevent any collision that might arise from an improper exercise of violence. Let the deputies discharge their duties within the limits of the law and the *News* will not find fault. But if they overstep its bounds, let the consequences be on their own heads.

TELLER'S DEFAMERS.

"So far, no newspaper of standing in the State has approved Senator Teller's defense, or rather excuse, for polygamy and Mormonism."

The above is an extract from a venomous attack on Mr. Teller in a Colorado country paper. No importance attaches to the paper itself, but its remarks are similar to others that have appeared in regard to the remarks of Senator Teller, on the new Edmunds bill.

They are cowardly and untrue. Cowardly, because they indicate fear of any facts that are told in relation to the "Mormon" people, and of any argument which proves the villainy and intrinsic wrong of a measure concocted for the purpose of depriving citizens of personal and property rights without due process of law. Untrue, because Senator Teller did not speak a word in support of polygamy or of "Mormonism."

The gentleman denounced both polygamy and "Mormonism" with a vigor which many think was not called for, even to show his aversion for either or both. His speeches on the Edmunds bill were against three propositions: First, the provision to compel a legal wife to testify against her husband; second, that to put fourteen Government trustees to manage the property of a Church corporation; third, that to give U. S. Marshals and their hordes of deputies certain powers that are of a judicial character.

These he denounced with less vehemence than they deserve. They are unusual, unprecedented and entirely subversive of republican principles and the common rights of citizens. They would be opposed by all classes of persons and papers if attempted against any other people than the "Mormons." Senator Teller gave some reasons why, even in this case, they were both wrong and uncalled for. No argument is attempted by the papers which find fault with him. They only call him foul names and put him in a false position.

His arguments are incontrovertible, his statements of fact are irrefutable. Therefore his assailants make out that he supported something that he opposed and favored that which he attacked. They take the usual method of handling the "Mormon" question; that is, to stifle inquiry, to silence debate, to smother anything that disfavors an attempt to crush the "Mormon" people, right or wrong, and to slander and traduce any one who speaks a word on the unpopular side of the question.

This course shows the iniquity and shallowness of the pretenses that are put forth for the purpose of committing flagrant outrages under color of law. The supporters of the scheme of robbery and spoliation championed by Senator Edmunds, cannot meet the arguments of the few who are bold enough to express the dissent which many feel in regard to the extreme and dishonest measures proposed, and therefore they heap abuse upon the manly enunciators of legal and moral principles which indicate the infamy intended. This course condemns the measure and exhibits the poltroonery and depravity of its promoters.

The *Pittsburg Leader*, a paper of more importance than all the Colorado rural assailants of Mr. Teller put together, has this to say on the subject:

"Mr. Teller does not stand alone in the view he takes on this Mormon problem. Many people in the United States who abhor polygamy fully as much as does Senator Edmunds believe in fair play for the Mormons."

This determined, unjust, unrighteous, unchristian persecution of the Mormons by the United States Congress and Government, will leave a blot on the fair escutcheon of the nation that will bring to the cheeks of our children's children the blush of shame. What answer can they make to the charge that the great republic, whose chief boast was the perfect freedom promised all citizens in religious worship and practice within the domain of the nation and the guaranty of protection in the exercise of those rights, did persecute uncompromisingly a certain class of citizens purely and solely for religion's sake? Could our descendants answer that it was done for the safety of the Union? Was the danger imminent that those Mormons were about to coerce the rest of the people of the nation into accepting the pernicious doctrines and practices? Were they habitual breakers of the law, and did they menace (by) unlawful means the rights, religious or otherwise, of good citizens who differed from them in their faith? Were they had citizens in any sense? We can easily imagine with what shame our posterity must perforce answer each and all of the above queries in the negative. The Indians commit murder, devastate property, regard not the rights of others in any manner, yet the government takes a fatherly care of them, does not interfere in the exercise of their superstitious religion, but this same government persecutes vindictively the Mormons, a law-abiding, thrifty, peaceable people. Senator Edmunds is a good man, but he will have much to answer for in explanation of his present bigotted, savage, demagogic advocacy of the persecution of the Mormons for religion's sake."

We would like to endorse the *Leader's* eulogy of Senator Edmunds' personal goodness, but after studying his crafty, cunning and deceptive intentions to destroy a religious system of which he is profoundly ignorant, we are forced to a different conviction.

He trapped many legislators into the idea that his first anti-"Mormon" measure was designed against general immorality, when he purposely worded it so as to open the way to punish plural-wed "Mormons" and let depraved, and debauched "Gentiles" go free. He has so contrived his present measure as to pull the wool over the eyes of many more legislators and induce them to think that there is no infringement of religious or other rights in its thieving and oppressive provisions.

No, he is not a good man. A good man does not proceed by such tactics as he has adopted in this "bigotted, savage, demagogic advocacy of the persecution of 'Mormons' for religion's sake." A good man, when he cannot meet an adversary's arguments against his violations of principle and precedent, does not join with slanderers in vilifying and misrepresenting his opponent. The ability, the cunning, the craftiness of Senator Edmunds we do not dispute; his goodness does not show up to any appreciable extent in his sinuous course with his latest attempt to defraud and destroy a religious organization.

The defamers of Senator Teller cannot permanently injure him by their cowardly slanders. He knows he is right in his opposition to plunder and oppression, and his arguments are impervious to such mean and contemptible mud-slinging.

NEW LIFE TO THE "HERALD."

We congratulate the Salt Lake *Herald* in its improved prospects and the financial strength which has come to its aid, to enlarge its usefulness and make permanent its success. The *Herald* has struggled up from small financial beginnings, through many difficulties to the position it has acquired as a conservative advocate of the people's rights and a gatherer and dispenser of general intelligence. Its recent more than usually outspoken utterances on local questions have added to the large number of its friends, and the ability displayed in its editorial and local columns is recognized by all and appreciated by the fair-minded of its contemporaries. We have not always agreed with some of the views of the *Herald* but we have never failed to desire its welfare and to rejoice at its prosperity. The new corporation which now owns the paper, starts out with vigor and the assurance of success. Nothing stands in the way of a brilliant and useful career, for a journal that has ever aimed to promote the varied interests of the Territory. The *Herald* has a sphere of its own, which it is able to fill with growing power equal to the enlarged requirements of the times, and we predict for it a future full of promise and profit to its stockholders, its writers and the public in general. Our best wishes and most cordial congratulations are sincerely extended to our esteemed and talented morning contemporary.

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