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A CRIME, OR NOT A CRIME?

A few of the most noted opponents of our people and our faith are in the habit of speaking of plural marriage as a crime; and others, who follow in their wake, echo the word without knowing or caring how incorrectly it is applied. The pedantic dogmatism of the one part, and the supercilious flippancy of other, are equally reprehensible where a serious question involving the social peace and happiness of millions of human beings is concerned; and a subject that circumscribes the entire marital relationship, in which three-fourths of the human family are on one side and one-fourth on the other; which involves the social and moral elevation or degradation of mankind; their physiological condition; and the future of the human race; should not be pronounced upon by prejudice, but with calm reason, nor be sneered away by flippant demagogues, nor crushed out by mercenary priests and their pliant aids.

A crime may be defined, in its broadest sense, to be an act which violates a law divine or human; correctly speaking, it is that which is condemned. The Bible is the basis of all civilized jurisprudence. Christendom professes to know no higher standard of morals, no superior guide in the duty which man owes to his God, to his country, to his fellowmen, and to himself. Hence, every human law which can be accepted by intelligent beings throughout Christendom, must be based upon and agree in spirit with the revelations of Divine equity and justice contained in that book. This is simply assuming the grounds which all Christian nations hold to be correct. The human law, then, which pronounces an act a crime, must be in plain consonance with Divine law, inasmuch as that is claimed to be the "higher law," having paramount claims upon the obedience of the creature, because it is a revelation of the will of the Creator.

The Divine command has been given to be subject to the powers that be; yet when those powers have endeavored to exact of the servants of God, obedience to requirements which were contrary to the law of God, and where obedience would have been a crime—a violation of Divine law, the men who made the Bible—wrote it under the inspiration of Heaven—preferred death to obeying a human law which conflicted with a Divine law.

Legislators of Christian nations have not only recognized this principle in a general sense, but they have been chary—too much so—of legislating for certain acts pronounced crimes by the Almighty. Adultery and fornication are in the Bible declared to be crimes, the former a crime of the most heinous nature, and punishable capitally. Yet what legislature in Christendom, or what code of laws in any Christian nation, has viewed them in any other light than as civil offences? And what legislative assembly of any nation throughout the entire Christian world would, to-day, make the crimes of

adultery and fornication punishable by fine and imprisonment? On what grounds do they abstain from doing so? Ostensibly because they say the woman who might be supposed to receive injury in the one case is a party voluntarily engaged in the commission of the act; and, because, in either case it is merely a civil offence—the transgression of a rule of morals. The husband can obtain damages for the desertion of his wife, or for her infidelity; the father or guardian for the loss of his daughter's or ward's services, in dollars and cents; yet so far do legislative enactments fail to meet the popular feeling on this point, in not awarding sufficient punishment for these crimes against Divine law, that where the outraged husband or father levels the accursed seducer in death, it is difficult to find a jury who will convict the slayer of the man who has committed upon him and his so deep and irreparable a wrong.

But no where in the Bible is plural marriage declared a crime. No where in that volume is the least intimation given that it is viewed as such by the Almighty. All illegitimate and illicit sexual intercourse meets the heaviest denunciations in the Divine law. Those who are so guilty are branded as criminals in the Old Testament, and declared liable to weighty punishment; while the New Testament plainly shows their degraded status here and hereafter. But no part of the sacred volume can be tortured into sustaining the heathenish enactments against plural marriage which disgrace the statute books of so-called Christian nations, derived not from that assumed and real basis of civilized jurisprudence, but from those "Greek and Roman" ancients whose names are so often in the mouths of would-be orators, and who proved their claims to be accepted as exemplars to all Christian nations by killing the early Apostles and propagandists of the Christian faith.

If legislators are so tender in enacting laws against adultery and fornication, which are declared crimes by the Bible, and admitted to be such in every civilized nation, [by what authority do they legislate upon, and pronounce a crime, that which is not so declared in the Bible, and which has been sanctioned and approved by the Divine Lawgiver Himself?

"In a 'Land Bill' recently introduced into Congress, by Stewart of Nevada, that solon (!) of the 'bankrupt State' in one of the sections of the bill would make it obligatory upon every citizen of this Territory who desired to enter land, make a conveyance, or in fact do almost anything other than simply exist, to take oath that they are 'not now living, or cohabiting, with more than one woman in the relation of husband and wife.'" Congress has only to pass the act with that clause, to make themselves monuments of eternal infamy and ridicule to all future generations. We may live in crime, as a majority of the rest of the world do, violate with impunity, so far as human enactments go, the law of God, and aid in accelerating the downward course of the human race, and it would be satisfactory to this gentleman and others opposed to us; but we must not live with more than one woman "in the relationship of husband and wife," which is not a crime against the law of God, without suffering pains and penalties.

No matter how many women we live and cohabit with, if there does not exist between us and them "the relationship of husband and wife!" This section might be amended, by introducing a clause conferring a bounty upon every man who did not marry but ruined a

virtuous female, said bounty being increased in proportion to the number of women he was able to debauch and destroy!

Can human law make an act a crime which is not a crime against Divine law? No: As all Christian jurisprudence is based upon the Bible, so no human statute can make an act a crime contrary to the Bible, the source from whence alone the legislators of Christendom derive their knowledge of what is and what is not criminal in the sight of God.

Men may do wrong under certain circumstances, in taking a wife or wives; but as no merely human authority can sanctify marriage in the sight of Heaven, viewing and dealing with it simply as a civil contract, so no human authority can justly pronounce it a crime, nor make it so by any effort or stretch of legislative power.

REPORT OF GENERAL INGALLS.

We are indebted to our worthy Delegate, Hon. W. H. Hooper, for a copy of the Inspection Report of General Rufus Ingalls, who traveled west last summer, under orders "to make a tour of inspection of the quartermaster's department from Fort Leavenworth through Colorado, Utah, Montana, Idaho, Oregon, and back by way of the Gulf of California, the Colorado river, and Denver City." General Ingalls visited this city in July, and remained only two days, but his acquaintance with us as a people dates from an earlier period, as he was stationed here for eight months, in 1854-55, with Col. Steptoe's command.

The Report in question relates more to the quartermaster's department in the places named, than to any feelings that have been called into existence, or any inquiries that have been instituted, concerning us; still, there are some portions that have a significance which makes them interesting. Speaking of General Babcock's inspection tour, who accompanied him, General Ingalls says:—

He has, undoubtedly, reported many nefarious acts of quartermasters, commissaries, and commanding officers, which I shall not mention, for the reason that the guilty parties are out of service, and I was not permitted the time to procure proper proof, if even I could have done so, and had I the authority so to do. They might have been prosecuted while in the service. If any of them should be now, it could better be done through the Attorney General's office. That there were many swindling contracts made for the hay, wood, &c., I doubt not; I heard of them at the time.

In the far west many of the commanding officers had had little or no previous military experience, and it is reported did not hesitate to enter into collusion with their quartermasters and commissaries, and to so advertise and "job" out the purchases as to insure a profit to themselves. This seems to have been the case in Utah under General Conner. All that could be learned of him and his administration, however, was reported to the General-in-Chief by General Babcock, who spent five or six weeks in Great Salt Lake City, at the instance of Lieutenant General Sherman, to investigate any cases of malfeasance on the part of our forces, and to see and report upon the actual state of feeling of the Mormons.

This extract simply corroborates that which has been matter of notoriety here, and the securing of contracts so "jobbed" out, has been one great cause of the continued efforts of unscrupulous men to stir up the General Government against this community, by every means in their power. Everything that could be invented and published, no matter how vile, false or malignant, has been sent forth to the nation, paid for out of the profits of "jobbed" contracts,

that the public purse might be more freely dipped into at the expense of the "Mormons," by bringing trouble upon them. Oh, yes; we knew it all the time; so did every intelligent man here; and intelligent men elsewhere will yet have a correct understanding of the whole matter.

The next extract is very plain, very pointed, and bespeaks a noble, gentlemanly spirit, that despises the contemptible course of a class of men with whom we have had too much to do:—

I remained in Great Salt Lake City only two days, engaged in inspecting Camp Douglas and in making inquiries of President Young and the principal business men, with all of whom I had been personally acquainted in 1854-55, having then been stationed eight months in the city, during the overland march of the late Colonel Steptoe. We made it our duty then to develop new routes to California and Oregon, as far as our means permitted.

The people of Utah have unquestionably suffered much from the generally bad class of men appointed to the civil offices by the federal government. Doubtless, also the Mormons have felt and acted in a too exclusive style to suit the gentile world, but deceit, bullying, and recrimination will not make good citizens of them. Had it not been for the positive orders of General McDowell I really believe that General Connor would have forced an insurrection with the Mormons in 1863-64, at the very time when we could least have afforded to send troops there, and when they did not wish a disturbance. I have this from General McDowell himself.

I am satisfied that a proper commander can manage affairs so that life and property will not only be safe in Utah, but that the Mormons will become loyal and law-abiding. There is a class of people now bent on open opposition to the Mormons. They excite them by unnecessary taunts and threats, and in rare cases of violence, which though happening in all large communities, they charge the perpetration and responsibility at once upon that people.

The Mormon population feel deeply wronged by the military during our recent war, but Brigham Young assured me that his people have been, and always will be, satisfied with the administration of any regular officer.

The importance of Utah to us, from its geographical position on the continent, its varied and abundant resources, and the character of its main inhabitants, being singularly fanatical and blindly devoted to their new religion, is so very great that the civil offices should be filled with men of more purity of character and greater talents, and the Territory should constitute a separate military department, placed under one of our most soldierly and circumspect officers. A first-class quartermaster and commissary should be assigned to his staff.

This needs no comment. The italics are ours, for the points so marked are facts that we have painfully felt the force of for years. If the gentleman had remained long enough he would have found, not only that we are loyal and law-abiding, but that the charge of disloyalty has been brought against us, because we would not do honor to incapacity and corruption, in the persons of those very characters whose conduct he justly reprehends.

General Ingalls is in favor of Government developing traffic by the Colorado. His suggestions on many points mark a clear-headedness and sound practical judgment, which prove his fitness for the task he had assigned him. In his brief reference to our community and matters here, he does us the justice at a distance, which others have voluntarily promised while here to do; yet when they have gone they have basely and falsely endeavored to traduce us. Each in his turn will eventually meet his merited reward.

THERE are in France upwards of 2,000 prisons and houses of correction, and the average number of people of both sexes confined in them is 55,000. The cost of the maintenance of the establishments is 14,400,000f.