

and what estimate to attach to his argument. In the same spirit he cited obsolete provisions of Utah statutes, long repealed, and endeavored to make it appear that the Legislature had tried to legalize polygamy, because they had excluded from court practice citations from any other authorities than the laws of the Territory and of Congress. This was a worse stretch of the imagination than the application of directions to individuals more than half a century ago to the living people of the present.

His next flight was into the space between the first six paragraphs of the revelation on celestial marriage and sections sixty-one, sixty-two and sixty-three, which he linked together without informing the committee of this surreptitious and illicit connection, and endeavored to prove that the mandates of the former applied to the latter. Judge Wilson took note of this, as will be seen later on. He next tried to prove that the marriage of a Mormon to his first wife was not a legal marriage, going over to England this time for the ruling of a court there in *Hyde vs. Hyde*, and drawing conclusions that if Utah were a State the courts therein would make absurd rulings contrary to established jurisprudence on the marriage question.

He also quoted from the works of Mrs. Stenhouse, and some isolated sentences from President Jedediah M. Grant's discourses, with the usual comments on "endowment oaths," "blood atonement," and other horrors and exaggerations common to anti-"mormon" harangues. But after all this stuff Mr. Baskin declared: "If I believed polygamy, bigamy and theocratic rule were at an end in Utah nothing would give me greater pleasure than to advocate the admission of Utah as a State." After all the shiftings and twistings, misapplications of old sermons and disquisitions, distortions of facts and baseless prognostications of imaginary "Mormon" proceedings in the event of Statehood to which the committee had been treated by West, McBride, Baskin and their appendages, the contrast afforded by the calm, logical, keen and forcible address of Judge Jere M. Wilson, in summing up the arguments and presenting the solid facts and their legitimate deductions, was truly refreshing and interesting. The synopsis which appeared in the *New York World* was a fair epitome of the main points in the speech. But of course a great many happy thoughts, witty replies and sharp home thrusts had to be omitted from that report because of lack of space. These will be worthy of another letter.

Hon. M. A. Smith, of Arizona, voluntarily appeared before the committee and made the following brief address, which is here produced verbatim, that the people of Utah and their friends in Arizona may learn of the courage and fairness displayed by a friend in need:

Mr. Smith said:

Mr. Chairman and Gentlemen of

the Committee.—While ignorant of the Mormon faith I am somewhat acquainted with the Mormon people, and while ignorant of their creed I know their conduct. I am not here to criticize any religious belief, no matter how far it may diverge from mine, but I am here for the purpose of briefly filing my protest against the persecution of any people on account of their religious belief. While religion is sacred to the soul of the believer, civil liberty is the birthright of every American citizen, and whenever it is stabbed, the life-blood of our matchless republic flows from the wound.

Polygamy is a crime under the law and should be punished as the law directs. But simple belief in polygamy is no more a crime than any other mere mental conclusion. I am of those who believe that polygamy will find its burial in the Statehood of Utah. The world moves, and our world moves westward. With proper safeguards against the constitution of Utah, so far as it prohibits polygamous marriages, will secure forever its prohibition in that State, and insure conviction in federal courts. What more can we ask in the face of the promises which have been made us?

Is this committee ready to say that every Mormon promise is made in order to be broken? If so, I beg to place my experience with these people against your conjectures. There are many of these people in Arizona, and I have taken occasion to study somewhat closely the effect of their peculiar belief on citizenship. I was for a time district attorney in Cochise County, Arizona. During my term of office no Mormon was ever called to plead to any indictment, for no Mormon was accused of crime, so far as I know, even before a justice of the peace.

In my practice of the law, covering some seven years in Arizona, I know of no indictment in my county, save one, and he was cleared, there being no evidence against him. He was tried for malicious mischief, in doing, in a certain water case, what he had the legal right to do. In my Territory they have the just reputation of being an industrious, law-abiding and law-loving people, unassuming in their habits, sober in their lives, honest in their dealings. They are in no sense, or by any standard, unworthy of American citizenship in its broadest sense. Of all people with whom I have come in contact they—if you will permit the paraphrase—of all others

Along the hot and sandy plains of life
They keep the noiseless tenor of their way.

I am free to say that in Arizona they are very different from the people of that faith as pictured by my friend (Mr. Dubois), the delegate from Idaho. Prejudice is still abroad in the land. Fanaticism still runs rampant.

I have great respect for my friend from Idaho (Mr. Dubois), and in common with him desire to see his territory and mine soon admitted to the Union of States; but I go further than he, in desiring to see every Territory stripped of the vassalage

under which they labor, and place addition stars in the field on our national banner. America can take care of polygamy. It will die of itself. The author of that most wonderful of all poems, *Paradise Lost*, in his prose works reviews this question fully, and I commend his wise conclusion to your consideration. He simply demonstrates the impossibility of general polygamous relations in a thickly settled community. What killed it among the Jews? What has killed it among all modern nations? Population. The same will do it in Utah.

But it is claimed that polygamy is not the question that disturbs, but it is ecclesiastical interference in secular affairs—church domination of the state. Is this worthy of your consideration? Does not this alarm arise from a minority, who want the prestige of power and thus far have been unable to obtain it? There is no possibility of any church domination for any length of time in any State in this great Union.

The foundation of our republic is not shaken by the "Mormon" faith. The Constitution guarantees protection. Then why this alarm, when we remember that thirteen States, locked together in the strong embrace of fraternal affection and a common interest, battled in vain with dauntless courage against the Union. The Jews hoped under their theocratic government to dominate the world. They were ordered by the King of Kings to invade the land of Hittites and Jebusites, and destroy men, women and children, yea, even the babe at the breast. This is not all. Peter looked forward to the establishment of a politico-ecclesiastical kingdom on the earth, and when it came not, thrice denied his God. The mother of two of the Apostles went to Christ, praying that when he came into his earthly kingdom one of her sons should sit on His right hand and the other on His left. Yet the church of which Peter is the foundation stone [whichever of the many churches that may be] has not seriously affected any of our State governments. Neither will the "Mormon" creed. We have heard much of Gentile proscription by the "Mormons". We have seen much of "Mormon" proscription by the Gentiles.

It is thus far a simple question of majority. Statehood is the simplest, plainest, straightest, and proper road to a quick settlement of our differences. I think Utah honest in its effort to secure the blessings of statehood. I believe they are sincere, and believing dare to maintain, even in opposition to the advice of some friends of mine on this committee. If you, gentlemen, had suffered in your States as we have suffered in our Territory from Federal interference in our simplest affairs; if you had endured as we endure a swarm of carpet-bag office-holders with no interest in common with ours; if you had borne the thousand burdens we bear, suffered indignities we hourly meet under this infamous Territorial rule, you would with me say, give all the Territories statehood, even if populated by Hot-