

# DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

PRINTED AND PUBLISHED BY THE  
DESERET NEWS COMPANY.

CHARLES W. PENROSE, EDITOR.

WEDNESDAY - FEBRUARY 11, 1885.

## THE IDAHO SITUATION.

THE uproarious burlesque on law-making enacted by the Idaho Legislature continues. The Council election bill, lately quoted by the News, which disfranchises all members of the "Mormon" Church, passed the House, by which it was slightly amended in two unimportant particulars, by a vote of 15 to 7.

The House passed another outrageous bill on the 26th, with an excellent prospect of its going through the entire anti-"Mormon" machine. It is substantially to the effect that any elector so disposed can enter complaint against any officer whom he has reason to believe has usurped the office held by him. Any suit of that description must be heard in chambers, and if the decision of the court turns out to be in favor of the complainant, the defendant is liable to a fine of \$2,000, the victim being denied the benefit of trial by jury even of his enemies.

The object of the measure is to obviate the necessity of waiting for the operation of the other anti-"Mormon" measures providing for the total disfranchisement of the Latter-day Saints. The enemies of liberty are panting to depose every man from office of every description who is a "Mormon," and it is hoped that this bill enabling the corruptists to harass and rob all such office holders, will cause them to be only too glad to abdicate and leave the entire manipulation of territorial, county, and so far as possible, city affairs in the hands of the spoliation conspirators.

Another bill in the same line practically leaves Bear Lake County without any representation. An attempt has been made to offset the effect of this measure by the introduction of a supplementary bill, but action on this was indefinitely postponed by the anti-"Mormon" majority, and as it had little or no support, will it certainly go by the board.

Another move is on foot regarding the same section of Idaho, notice having been given on the 27th inst. that a bill would shortly be introduced providing for the removal of the county seat of Bear Lake County from Paris to Montpelier. The reason for this is obvious. The present capital of the county is in every way more fitted for the position than any other place, but the one to which it is proposed to remove the county seat is a railroad town, and the only place where dramshops and other concomitants of modern civilization prosper. The facilities of that character afforded there are indispensable to the vile crew who anticipate, by their consummate villainy, seizing the reins of the public business of the county.

Prominent lawyers of Boise have denounced the anti-"Mormon" legislation as the most infamously and ridiculously unconstitutional of any measures ever enacted since the organization of the Republic. But the perpetrators of these infamies are apparently dead to every sense of shame, and are utterly devoid of any compunctions of conscience.

During the passage in the House of the election bill providing for the total disfranchisement of all "Mormons," many of the rabid class became excited and made the most extraordinary statements. In fact a few of them acted more like lunatics than sane men. Some of these made the unqualified assertion that the local Legislature had more power in the premises than Congress, and could make laws for the restraint of opinion as well as overt acts.

Others openly proclaimed that the object in view was the extirpation of the "Mormon" Church. Of course this was a well understood fact and needed no assertion of that kind to establish it. But it was hardly expected that the conspirators would make open and undisguised admissions to that effect.

The situation in Idaho is decidedly revolutionary, the people upon whom the crushing process is brought to bear are greatly exercised, and the full effect of the crusade can scarcely be estimated at present. If such a condition of things as is threatened can be inaugurated and operated without a conflict, it will be strange.

## "IS IT SUCH MATERIAL THAT UTAH GIRLS WANT FOR HUSBANDS?"

THE above sentence is the closing one of an editorial in the Salt Lake Tribune. The article in which it appears is an attempt to belittle "Mormon" men in the eyes of "Mormon" women, and by implication to hold up

for Utah girls to gaze at and admire, the superior virtues of Gentiles as husbands and protectors, a sample paragon of whom was probably surveying himself in a mirror at the time he wrote the article.

Heaven knows, we have no desire to detract from any excellence, real or imagined, which persons of this class can legitimately or conscientiously lay claim to. They need all the credit, and a little more, than their merits call for. But we would remind them that such queries as the one propounded by their favorite organ, are a good deal in the nature of a two-edged sword—liable to cut in the direction least intended.

We are not at all afraid that any sensible "Mormon" girl, if by chance she came upon the article in question would manifest any undue eagerness to snap at the gilded bait of sophistry which hides the hook intended for her capture. Utah girls are very apt to be innocent—perhaps, in a guileless sense, too much so for their own good—but not many of them are born fools. Their eyes are open, in part, to the character and real motives of the conspirators who put forth such crafty pleas to delude them. They come of fathers and mothers who have "tried to the core and sounded to the depth" the rottenness and hypocrisy of a generation with which the crime-steeped antediluvian races, the denizens of the doomed Cities of the Plains, or those who peopled earth when the Son of God was crucified, would almost appear whiter-brown by comparison.

Latter-day Saints, with a correct understanding of their duty, and the inclination to perform it, have not been slow to teach their children the why and wherefore of their coming out of a world already crumbling beneath the weight of its crimes, and of being separate and touching not, either by intermarriage or association, "the unclean thing," whose breath is a pestilence and whose throat is an open sepulchre. Those who have not so warned God's children who call them father and mother here on earth, will see the time when the blood of responsibility will be found clinging to their garments, and the souls of those who were sacrificed on the altar of their neglect will rise up in judgment against them.

The daughters of Israel know, for there have been examples enough to teach them, what it is for a "Mormon" girl, particularly the daughter of a polygamous wife, to unite her life's destiny with one who regards her as an inferior, and despises her birth, her parentage and people. Even if he be able—which is by no means invariably the case—to present to her the same unspotted purity of mind and body which he expects to find, and, unlike her, runs no risk in finding; even if he does not desert her, as many of his kind have done, as soon as the lust is gratified which impelled him to woo and win her; even if he surrounds her with luxury, seeks to anticipate her every wish, placing her upon a pedestal of worship and giving her the adoration which belongs to his God; if he does all this and yet looks upon her marriage with him as an act of generosity and condescension on his part and of self-emancipation on hers; if he casts opprobrium upon her birth, regarding her brothers, sisters and herself as bastards, her father as a lecherous man and her mother as a fallen woman; if he forbids her friends the house or treats them with a coldness that is equivalent; if he reviles her religion, ridicules the sacred ordinances of the Gospel, and clasps hands with those who persecute, betray and ride rampant over the liberties of her people; if, heedless of the lying promises of neutrality, friendship and goodwill, with which he softened and overcame parental objections and won her as his wife, he now turns her whole life into a hell of cruel torment, all the more cruel if she loves him, because, forsooth he hates the fountain whence she sprung, the people with whom she affiliates, and the God whom she still adores—"Is it such material that Utah girls want for husbands?"

Or, if he be not one of the cleaner kind, and her married home is the home of the drunkard and the debauchee. If the man she calls husband and has sworn to honor and obey until death forever parts them, is a libertine, a seducer of innocence, a betrayer of virtue, the companion of pimps and harlots, and a habitue of the brothel and the dramshop; if, leaving the haunts of sin, he staggers home at midnight with his veins on fire of hell, to share for the rest of the night the marriage-bed he has defiled within the hour; leaving the arms of a prostitute to lay his head upon the bosom of his wedded wife, his drink-maddened brain a race-course of unbridled passions, and his body a lazar-house of disease, transmitting its fatal germs to his crippled and degenerate offspring, and not unfrequently to her who is the hapless sharer of his life of shame and the victim of his loathsome embraces—"Is it such material that Utah Girls Want for Husbands?"

If so, the choice is open to them—as open as the grave to which it leads. But to realize it, go beyond the bounds of "Mormonism"—"struggle upward" to those proud heights whereon stand these would-be reformers of Utah, who are reaching out their eager hands to lift you to their own degraded level.

The "Mormon" husband, with a plurality of honored wives, and a numerous, healthy and intelligent posterity, is more than the peer of the childless lepers who hate him for the cleanliness

of his life and the general uprightness of his course. "Mormon" men are not perfect, nor do we know of any who even pretend to be, but such as they are, they have every reason to feel satisfied with the result of any comparison made between them and those who "struggle upward" as they may, will never reach the plane requisite for a bird's-eye view of those whom they secretly envy and would only be too happy to despise.

## AN UNWARRANTED INFLECTION.

THE cruel and arbitrary course of Commissioner McKay toward Miss Jessie Grant, the witness in the R. B. Young case whom he fined for contempt, continues to be severely commented upon by all classes of people. The fact of the matter is that the lady was not nor could she be in contempt under the circumstances, as the law in reference to the service of a subpoena was not in any sense complied with. In fact Deputy Vandercook stated, in response to an inquiry, to Mr. Young, that he had no subpoena for any other person than Miss McMurrin, and therefore could not possibly serve one.

The legal method of serving a paper of that description will be found on page 369, of the Laws of Utah, passed at the legislative session of 1884, and we herewith present it:

(Sec. 1218.) The service of a subpoena is made by showing the original and delivering a copy, or a ticket containing its substance to the witness personally, or by leaving a copy with some suitable person at the place of his abode, giving or offering to him at the same time, if demanded by him, the fees to which he is entitled for travel to and from the place designated, and one day's attendance there. The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance.

No such service was made upon Miss Grant, who was left in charge of Miss McMurrin's house during the latter's absence in court, yet upon Vandercook's say so, an attachment for the lady was issued by Mr. McKay, and the witness brought into Court by that process. She gave her evidence, and as she was leaving the stand she was called back by the Commissioner and fined \$25 for contempt, which was never committed, without an explanation from her side. The fine was paid.

The action of the court in imposing the penalty was mean, petty and contemptible, but of course it was one of its "opportunities," and as self is one of the objects of the raid, small as the chance was, it was not to be lost. There is not much dignity about a court that will pursue a course of that kind. It will render nearly a whole community more guilty of the offence, in its essence, for which it was punished than she was. There are some actions, no matter by whom performed, that cannot create any other sentiment than contempt for the perpetrators. Some characters are so utterly lacking in manly and magnanimous instincts that they are gradually sinking below a point when they can even elicit a feeling of that description, without it being mingled with a degree of pity that they should permit themselves to be guilty of such infinitesimally small actions as frequently illustrate their conduct.

## TOO TRANSPARENT.

THE other day the Salt Lake Tribune let a mammoth cat out of the bag. It was done in an article, in the penning of which that journal devoted an interval to falling face downwards and worshipping District Attorney Dickson. The name of that individual constituted the caption of the article. The writer so far overshot the mark in the fulsome character of the adulation piled upon the unfortunate object of his flattery, that the dose was absolutely sickening. The apology given for surfeiting the public with the insipid trash was the necessity to advise "The country of what District Attorney Dickson is doing."

His mission is described by stating that this "great and good man" has been given a "holy trust to execute." The holy character of the trust is manifested by the employment of crawling sneaks and desperadoes to spy into the family affairs of respectable people; to have delicate woman and children dragged into court to be put through the most indecent and vulgar catechization; to pursue with relentless and calloused hate the most virtuous people in the community, using as a means of persecution wretches who are steeped in immorality and corruption; passing by the gross and lascivious crimes of his own class, and instituting vexatious proceedings against "Mormons" living in peace and purity, simply on account of their family relations heretofore formed, and to them of the most sacred character. This is the "holy trust" which this paragon of perfection is executing.

But the paper we have named says he is "As sincere as he is modest." We doubt it not, and we are not displeased to note the fact that his sincerity is measured by the extent of his modesty. If there can be from fifty men of equal

intelligence in the county who can display as little of that quality, less regard for the most ordinary amenities of life than he, then it is scarcer than we had any idea of.

In the article devoted to the worship of Mr. Dickson Judge Zane is tendered a somewhat sickly sop, which that shrewd gentleman will no doubt know how to appreciate. He is rung in as a sort of second fiddle to Mr. Dickson, the latter being projected with marked prominence, and for an unmistakable purpose. Speaking of the terror claimed to have been created among the "Mormon" people by the present unholy persecutive crusade, the Tribune concludes as follows:

"This is due to Judge Zane and Mr. Dickson, and the sterling stuff which is required in men who do what these men are doing should be appreciated. There will be a change of administration next month. The Democrats of this city should to see it that Mr. Dickson's record as an officer here is laid before Mr. Cleveland, and that Mr. Dickson be not removed. Utah has been waiting for a score of years for a District Attorney. It has one now—one who has no hope or desire except to do his duty, and one, too, who knows thoroughly that duty, and how to execute it. It would be no loss to Mr. Dickson to lose his office; it would be a mighty loss to Utah and to good government here.

We do not suppose it necessary for us to draw the attention of Chief Justice C. S. Zane to the evident intention displayed of placing him on the sacrificial altar, and endeavoring to work things so that his official head will drop into the basket already prepared, in the mind's eye of the conspirators, to receive it. He is given a soother in the shape of a small quantity of taffy on the point of a very long stick, while Mr. Dickson is tendered a huge mass of sweetened stuff direct from the filthy hand of the donor, with a promise of permanent board and lodging. The necessity of his retention in office, and a shriek for democratic assistance are undisguised, while the intention of seeking to procure the expulsion from the Chief Justiceship of Judge Zane is equally visible by the ominous and invidious silence in regard to any necessity of his being retained.

The real juice of the matter is that a certain democratic "limb of the law" has an eye on the position now occupied by Judge C. S. Zane. The democratic administrative policy is, so far as practicable, to make appointments in the Territories from among actual residents. If the local Democrats will lend their aid to secure Mr. Dickson's seat, the anti-"Mormon" latently generally, or those who monopolize its strings and hold the balmain object submission, will make an effort to unseat Judge Zane, if it an effort occur in the ordinary course, does not enable the local aspirant to attain the object of his ambition.

This is a scurvy and hypocritical plot against the Judge, who is being openly patted on the back and secretly stabbed under the fifth rib by his pretended friends.

## THE TENOR OF JUDGE ZANE'S INSTRUCTIONS.

HOWEVER much we may have had occasion to differ from some of Judge Zane's judicial methods hitherto, we have no special strictures to offer in regard to his charge to the grand jury. Taken as a whole, it is dignified, and the tenor of the instructions unexceptionable. If the grand jury shall be governed by their purport in their deliberations, no reasonable person will find fault with them. If so, their operations will be characterized by an absence of malice or prejudice against individuals or classes, a spirit against which there has been good ground for complaint in recent preliminary prosecutions, which have been notoriously one-sided and bitter. If an impartial disposition shall obtain with the gentlemen of the jury just empanelled, prosecutions for unlawful cohabitation, an offence specially mentioned by Judge Zane, will not be confined within the limits of the "marriage relation," but the full scope of the law will be considered, and cases inquired into and decided upon independent of the fact of the persons whose conduct is investigated being "Mormons" or non-"Mormons." The glaring prejudice hitherto displayed as against "Mormons" has been extremely disgraceful, and it is to be hoped that the gentlemen comprising the grand jury will not allow themselves to be swayed from the path of an impartial performance of duty by any consideration whatever.

## A LEGAL PRIVILEGE.

SURELY never were tactics more disgraceful resorted to in the manipulation of legal affairs than in the present anti-"Mormon" crusade. Subpoenas are being issued by wholesale, requiring persons to appear as witnesses before the Grand Jury, and probably the larger proportion of those summoned are members of the families of those men whose conduct is placed under investigation.

The extensive summoning process might be passed over without adverse comment, notwithstanding the fact that among the persons served with process are the legal wives and little

children of those whose doings are inquired into. Little ones not older than eight years are required to testify against their fathers, and from the moment some of them are notified to appear before the inquisitorial body, they are seized with a fearful terror, lest they should be required to say or do anything that would send their fathers to the penitentiary. In one instance which has come under our observation a little chap was thrown into a distressing state of excitement, and refused to be comforted.

But this is not the part of the family disrupting process that we desire to particularly dwell upon now, cruel as it is. The legal wives of those whose marital relations are placed under the inquisitorial process are taken before the grand jury, so we have been reliably informed, and after they have protested against testifying on the ground of legal privilege, the investigation has been continued and questions piled, and the person who is debarred from being a witness against her husband and cannot be compelled to take that position any more than she could be forced to give testimony against herself, subjected to a species of intimidation.

Every woman who is recognized as a wife under the law should understand her legal privilege in this connection, and stand by it, any contra-position assumed by United States Attorney Dickson or any other person to the contrary notwithstanding. The statute on this subject is free from ambiguity. The provision will be found on page 506, of the Compiled Laws of Utah. Here it is:

(1604.) SEC. 379. A husband shall not be a witness for or against his wife, nor a wife a witness for or against her husband; nor can either, during the marriage or afterwards, be, without the consent of the other, examined as to any communication made by one to the other during the marriage. But this exception shall not apply to any action or proceeding by one against the other.

Our advice to ladies to whom this statute applies, and who may be subpoenaed as witnesses to testify against their husbands before the grand jury, is not to allow themselves to be robbed of their legal privilege. They can, in any case where the husband is the object of pursuit, refuse to answer any questions in connection with the proceedings, and if they are badgered or threatened by the District Attorney or any other person, with an intent to compel them to answer interrogatories, let them claim the protection of the Court, before which they should make affidavit in relation to the treatment to which they are subjected. Pay no attention to any threats of punishment for contempt because of a refusal on their part to answer, as no court would, in the face of the statute on the subject, inflict any penalty in such a case.

Any legal protection within reach against the present brutal, hypocritical and one-sided prosecutions should be tenaciously taken advantage of.

## ANOTHER PECULIAR PROCEEDING.

To expect anything bordering on decency from those who are conducting the anti-"Mormon" politico-religious crusade, would be equal to the supposition that blood could be obtained from a turnip. The public have become so accustomed to the disreputable conduct of the prosecutors that any extreme of brutality and inconsistency they might exhibit would now occasion little or no surprise. They appear to be utterly dead to every manly sentiment. Let any candid person peruse the account of the proceeding against Phoebe Calder, a witness before the Grand Jury, and see if he can come to any other conclusion. The indelicate question put to her was, "Do you know whether Maggie Naismith is a pregnant woman?" It was evidently propounded in the hope that—the person interrogated being a female, and liable to be confused from nervous excitement—an affirmative answer could be obtained. The question was decided by the Court to be proper, yet it ought to be plain, and the witness ought to have understood the position, that there could, except under extraordinary circumstances, be but one answer, and that a negative one. She might believe otherwise, but a knowledge on the subject could only in such a case be obtained by a professional investigation. It will be seen, therefore, that under pressure the witness was impelled to express as knowledge what could only exist in her mind as a matter of belief. The question was evidently framed and pressed for that purpose.

A little humanity and decency, and a good deal less spite, vulgarity and unscrupulousness would do much toward giving a color of respectability to the present ultra proceedings against in-fensive people.

## Blue Grass Breeders.

Mr. R. S. Withers of Fairlawn Stock Farm, Lexington, Ky., writes: "I have such confidence in St. Jacobs Oil, the great pain-cure, that I used it on everything; myself, my horses, my negroes. Everybody and every horse, for all kinds of aches and pains, believe in its sovereignty as a cure."