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TRUTH AND LIBERTY.

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ONE LAW FOR "MORMONS" ANOTHER FOR "GENTILES."

PARTICULARS of a pretended investigation into the case of Dr. Carrington, charged with the crime of bigamy, will be found in another part of this paper. From the beginning it has been evident that there was no heart in the prosecution. It was almost forced to take up the case. The Commissioner did not want to investigate, the deputy prosecuting attorney did not want to make out the papers and when the complaint was made out by unofficial hands and the defendant was arrested, he was allowed to go at large without bail and slipped away from custody. We have no idea that any special effort would have been made for his capture if the News had not placed the facts in such prominence that something had to be done. Anti-"Mormon" sheets were as dumb as cast-iron about the case until the re-arrest of the culprit and his alleged examination before a United States Commissioner.

We expected that the prisoner would be discharged. Every indication pointed to that issue. It was clear that there was no enthusiasm such as would have been aroused if the accused had been a "Mormon." The release of Carrington is clear proof that his committal was not wanted. Anyone with ordinary sense who reads the particulars, which are correct and reliable and without tint or exaggeration, must come to the conclusion that the decision was hostile to the evidence. Not only did the record produced in court show the absence of any decree of divorce in the case of Carrington, but the Judge and the Clerk of the Probate Court where application was made for a divorce, testified, under oath, that no such decree had been granted. It was also proven that the defendant had actually withdrawn his application and expressed his intention of returning to his wife. Yet the Commissioner implied in his decision that a decree had been granted and the Clerk had failed to record it, and on this supposition discharged the accused.

It should be remembered that both marriages were admitted. Also that a reputable and talented attorney, after taking hold of the defense and learning the facts dropped the case as a filthy thing. That all the evidence, except the prisoner's statement which was disproved by the other witnesses, went to show conclusively that Carrington, while having a living and undivorced wife, married another in defiance of the law, of good faith and of the parents and friends of the girl whom he has led astray. An abundance of testimony to corroborate all that was presented, could have been adduced if there had been any desire or disposition to obtain it.

Now contrast this case with that of Belle Harris, and say how much justice there is in either. This man Carrington committed bigamy, of which there can be no legal doubt. When accused, his arrest was not wanted; when that became necessary, he was allowed to slip out of the Territory; and if he had had sense enough to keep himself out of the way, he would never have been captured. And now after proof enough to condemn any defendant in the eyes of the law and of the public, he is discharged by a very friendly and accommodating official. On the other hand, Belle Harris, for simply declining to answer questions concerning her own private affairs put to her by an attorney who had no right to be present as an inquisitor, is confined in the penitentiary, bail offered to any amount pending an appeal being peremptorily refused. Why this discrimination? Simply, this: Dr. Carrington is a "Gentile" of the "Gentiles." Belle Harris is a "Mormon." The discharged bigamist is known to

have violated the law; the imprisoned witness is supposed to be a plural wife.

All this goes to prove, what we have frequently maintained, that there is no real desire on the part of those who represent the law to put down violations of the law, but a disposition to oppose "Mormonism" and injure its adherents. They have no antipathy to peculiar family relations, or peculiar relations outside of the family. They are not influenced by any such motives as the vindication of the law, but are inspired by hatred of a religious system.

The Carrington case is one for the Grand Jury to consider. The proceedings before the Commissioner were a farce, not to use a harsher term. The bigamist has not been put in any legal jeopardy. The proofs of his crime are easily accessible. He is a bigamist in the full sense of the term. He deceived his wife and forsook her for another. He deceived and led astray the girl whom he persuaded to go through the form of a marriage with him. He outraged the feelings and authority of her parents who were opposed to his attentions. He led astray the Justice of the Peace who performed the second ceremony. He escaped from custody when arrested for his crime. He has shown himself a scoundrel of the most contemptible stripe. And if any villain of this stamp had become connected with the "Mormons" so that he could have been accused of polygamy, he would have been hunted down with sleuth-hound persistency, every scrap of evidence would have been gathered up and he would have been clapped into jail as quick as winking, while the press and the telegraph would have spread the news of his iniquity throughout the length and breadth of the civilized world. But he is not a "Mormon," thank heaven, and all interest in the case ceases. Now, does there not appear to be one law for the "Mormon" and another for the Gentile?

CONSUL MASON IS MAD.

THE New York Tribune publishes the remarks of Consul Mason to a reporter, in reference to the "Mormon" immigrants from Switzerland who arrived on the Nevada, and were permitted to land and proceed on their journey to Utah in spite of the statements made concerning them by the Consul. He is very much chagrined that his efforts to stop the travelers were in vain, and he boils over with anger against the "twin relic," "the conversion of women-proselytes and their shipment to the United States." He states that the "Mormon" missionaries in Europe "are well supplied with money, and take care that the emigrants are temporarily furnished with enough to make a plausible show before the Commissioners of Emigration." Also that "three principal emigration agencies in Basle refused to undertake the shipment of this same party of converts."

These assertions are not borne out by the facts, and serve to show that either Consul Mason has been imposed upon or he is seeking to impose upon the Government and the public of this country. The Tribune has the annexed editorial on this subject:

"There seems to be no doubt that the Castle Garden authorities were unable, under our loose emigration laws, to prevent the landing of the Swiss Mormons who arrived at this port on Sunday, but there is also no doubt that the newcomers were paupers when they were in Switzerland and that the authorities of the Communes connived with the Mormon missionaries to get them to this country. Captain Mason's statement to a reporter, published on another page, shows this to have been the case. Unfortunately, there seems to be nothing to do at present but to wait until Congress can make the supervision of immigration more strict. The polygamous practices of Utah are a dreadful blot on the reputation of this country already, and it is making a bad matter worse to let the Mormon missionaries bring over paupers for wives. The effort to stop the Swiss Mormons on Sunday, although it was a failure, will not be without good results. The publication of any case of Mormon recruiting like this, serves to call public attention to the methods and extent of such importations, and will help to develop a wholesome

sentiment in this country, which will in time provide a legal and effective remedy."

In the face of the reports of the proper officers and other gentlemen just as much interested in preventing the landing of paupers in New York as either Consul Mason or the Tribune of that city, it seems exceedingly stupid to continue the charge concerning the recent Swiss arrivals. They were thoroughly inspected before being permitted to land, and it was officially reported that "there was nothing in their appearance or in the facts ascertained to justify any objection to their landing." I was also found that they had considerable money "in foreign currency drafts and bills of exchange." They had, in addition to this surplus, "amounting to over \$5,000," prepaid their railroad passage to Utah. It was further reported that "the males and females were about equal, and about one-third were children under 12 years of age." These official returns were made after a thorough investigation ordered specially in this case, with the view of preventing the landing of these people if it could be made to appear that Consul Mason's statements were borne out by the facts. It seems to us that discretion would cause him to be silent after such a rebuke of his over officiousness.

The news that "Mormon missionaries in Europe are well supplied with money" will be highly amusing to the returned Elders, who have labored without fee and have traveled without purse and scrip to preach the gospel, and who have had to depend to a large extent upon the bounty of the very people whom Mason designates as "paupers." The idea about female proselytes is dissipated by the official report as to the relative numbers of the sexes among the immigrants, and the story about three immigration agencies refusing to ship these people is too thin to need any notice. The shipment of our emigration is made by arrangements at Liverpool, and if there was any dispute as to transportation from Basle, it was doubtless competition between rival agencies to obtain the contract, the cheapest and best being preferred; any other idea to a business man who knows the world is simply preposterous.

We agree with the Tribune that the publication of these matters "serves to call public attention to the methods and extent of such importations," as well as to advertise "Mormonism" generally. It does more than we can effect in the way of correcting false impressions, such as are conveyed by Consul Mason and the New York Tribune. And it proves to sensible and fairminded people that the noise made about "Mormon" immigration "female recruits," "pauper importations" and other such rabid outcries are nothing but hollow absurdities. The publication of such falsehoods causes unfavorable excitement for the time, but when the truth is made to appear, the tide turns and the result is beneficial to our cause. "If our opponents want 'Mormon' proselytism and immigration to decrease, they must quit circulating such groundless rumors and senseless stories as are being continually set afloat by unwise and mendacious persons and journals."

TRIFLE NOT WITH SACRED THINGS.

THE following letter has been received from a reliable correspondent in a distant Utah town:

Editor Deseret News:

If a young gentleman and young lady take hold of each other's hands before witnesses and ask a man holding the office of an Elder to marry them, and if the Elder asks the gentleman if he will take this woman to be his wife, etc., to which he answers "yes," he then asks the lady if she will take this man to be her husband, etc., to which she also replies "yes," then the Elder says, "So help you God, I pronounce you man and wife." Now the question is, if all parties understand this to be in play is the marriage valid according to law?

In reply we have to say that no contract is valid unless entered into in good faith. If all the parties understood that the affair was a joke, it was not a marriage either in law, gospel or common sense. But if either of the parties should claim that it was done in earnest, the

matter would be open to litigation, and serious consequences might ensue. Under the common law a mere agreement in the presence of witnesses to live together as man and wife and an acknowledgment of that relation between the parties, would constitute a marriage as valid as though a ceremony were performed by Judge, Justice or Minister.

In the light of the Gospel, however, it would be regarded as no marriage at all. It would be a civil contract which the parties by mutual agreement could dissolve so far as any moral obligations are concerned. It is like a contract to buy or sell an animal, an article of merchandise or a piece of real estate. Marriage properly entered into is a matter of religion, in which God and His authority are interested as well as the man and woman to be united. If entered into without His sanction and seal it is not acknowledged in heaven, and will have no force or effect after the death of either of the parties, who will have no claim in eternity upon the issue of such a union.

In the case presented the parties are supposed to be members of the Church of Jesus Christ of Latter-day Saints or they would not thus stand up before an Elder. It is difficult to believe that such an occurrence has taken place. If it has, the young man and the young lady must be strangely ignorant of the sanctity which is attached in this Church to the marriage relation and the marriage ceremony. Their training must have been sadly neglected, or else they have lost all sense of propriety and the respect due to the holy ordinance of matrimony.

And if this may be said of the couple thus making a jest of that which should be sacred, what can we think of an Elder who would conduct himself in the manner described? If such a thing has been done the Elder, we care not who he is, disgraced himself, dishonored his calling, and took the name of the Lord in vain. He prostituted his Priesthood and showed himself utterly unfit for its possession. That sacred office ought to be taken from him. He ought to be tried for his fellowship. Whether he officiated in earnest or in jest he was wrong.

If he meant what he said and did he acted without authority. Elders are not authorized to administer such ordinances where there is an organized branch of the Church, without special direction. Marriages other than those solemnized for time and eternity in the places ordained, are only to be administered in the various Stakes of Zion, under the direction of the Stake authorities. Every Elder is not justified in acting as he may think fit in such important matters.

If the Elder acted "in play," as intimated, how could he presume to use such language, taking the name of Deity upon his lips and turning a sacred ceremony into a senseless jest? Could he find no other food for fun than that which should be attended to in the most solemn manner? Had he no more sense or dignity than to fall in with the giddy nonsense of foolish youth and cast ridicule upon an ordinance of heaven? He should be rebuked for his sin, and that before all who are acquainted with it.

We take so much notice of this communication for the purpose of placing this subject in its proper light before the Latter-day Saints, some of whom are liable to fall in with the follies and vagaries of the world, in which marriage is becoming a mockery and sacred things are being trampled upon. That which is holy should be treated with solemnity, and there is nothing of greater sanctity or importance than the marriage relation. Let no one debase it to a mere jest, and let no one claiming to hold a portion of the Holy Priesthood drag it down to the level of folly and buffoonery.

LOGAN TO THE RESCUE.

THE attempt to rob the Zuni Indians of land which they have occupied for over three hundred years, and the barrier to the stealing interposed by the proclamation of President Arthur have been fully explained in this paper. It now appears that General Logan is determined that if possible the steal shall be consummated. He has written a letter to the Secretary of the Interior intimating that Tucker, his son-in-law, and Captain Lawton—who are generally understood to be acting

in Logan's interest—will maintain the right to their entries filed on the Zuni's land in Nutrias valley under the desert land act.

The President's proclamation, it appears, does not settle the question. The filing of Logan's agents' place between the time of President Hayes' proclamation which had the Pescado and Nutrias Springs outside the Zuni reservation, and the proclamation of President Arthur which was designed to secure to the Zuni the right to the springs left out by mistake in the former document. It is further alleged that the two springs question are not essential in sense to the Zuni, have never been occupied permanently and do not water their valley. Now if this found to be true, as alleged, and Indians only occupied them sporadically, just as they might any other locality outside the limits of the reservation, and furthermore, they have land enough in their own valley proper, it is argued that there is no reason why white settlers should be deprived of other lands in their vicinity simply because the Indians may have been in the habit of occupying them temporarily.

Thus it will be seen that the influence of Senator Logan is being brought to bear to set aside the decision of the President. Secretary Teller, who is surprised to find Logan connected with the affair, explains that, "An executive proclamation does not settle a matter beyond question. It may be changed the next day, and is simply put until modified or set aside by another." He intends to have the matter thoroughly investigated and intimates that "there is much giving the Zuni more than they need, nor is there any reason why these two springs should be included in their reservation if the water supply of the Zuni Valley does not depend upon them." And yet he acknowledges that while the Zuni have no treaty rights to these lands "they have occupied the valley for at least 300 years, and perhaps 1,000, and undoubtedly they should be regarded as having a title."

It remains to be seen whether the possessory rights of this peaceable tribe, who have acquired no treaty rights to land held by them for over three centuries, simply because they have never waged against the whites and no treaty was needed, shall weigh their full value against senatorial influence, exerted to legalize a land-grab and give title to a bold and barbed robbery.

A TALE OF THE IMAGINATION.

The Salt Lake papers tell of another case of shameless betrayal. A young woman lately married, whose husband has taken a second wife. She is overwhelmed with the disgrace and the misery of her situation. But a woman's broken heart counts for little against the "peculiar institution."

The foregoing paragraph is given the rounds. It is as reliable as most of such items. Salt Lake papers that tell such tales make them up for outside effect. With a breath they will complain of the strict secrecy of "Mormon" marriages, which makes it impossible to obtain evidence against polygamists, and with the next they will tell of imaginary marriages and broken hearts as accompaniments with all the assurance of knowledge strong enough to swear by.

Chicago papers which have copied the above item need not come to Utah to look for broken hearts, no woman's disgrace and misery. They can be found without stint in the city of the lake, where there is no need to resort to tales of the imagination to work up a sensational case. And we will assert without fear of successful contradiction that there is a hundredfold more legitimate polygamy in Chicago than plural marriage at Salt Lake City, and an immensely greater proportion of shameless betrayals, broken hearts and woman's misery.

NO MUSIC IN H IES.

THE Reformed Presbyterian Assembly has been worrying itself over the momentous question, whether instrumental music shall be permitted in divine worship. Two days time was devoted to the discussion, and the mildest words used