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THE COURT SCENE ON SATURDAY.

The sentence scene in the cases of the Brothers Angus M. Cannon, A. M. Musser and James C. Watson, had a powerful dramatic interest. The calm dignity which they maintained throughout the ordeal was the outgrowth of a consciousness of having committed no crime, either in intent or fact. On the other hand the perturbation of the Court, evinced by its somewhat jumbled and incongruous explanations, must have been the result of an inward sentiment of a directly opposite character. The judge was in a pitiable plight, having neither the backing of a clear conscience, good law, nor sound morality. It is no wonder therefore, that he presented a spectacle calculated to inspire all sensible people with sadness and regret. It is indeed a sorry sight to see the ways of justice perverted.

The Court was impelled on Saturday to place itself once more on record in the field of incongruity, not to say absurdity, in various particulars. Its answer to a question of one of the gentlemen about to receive sentence, as to which wife he ought to select providing he should live with only one after he emerged from prison, was one of the most astounding that could have been given. The interrogator was informed that that was a matter which was left entirely to his option. So long as he only lived with and acknowledged one as his wife, the law left him free to choose which it should be.

According to the law of celestial marriage, as accepted in the religious faith of the Saints, no matter how many wives a man may have in that order, they all stand in the same relationship to him. The Judge seems to have come a little over half way toward the same conclusion. A man who has a number of wives can only have one recognized as such by the law. Judge Zane announces from the bench that if he so elect he can cut that legal wife adrift, so long as he chooses but one out of the number whom he will recognize as his wife. Thus, according to this remarkable functionary, a woman can, at the will of her husband, be summarily deprived of her legal status of wifedom, and its privileges be transferred to the shoulders of another who has not heretofore occupied that relation under the law.

No other inference can be drawn from the statement of the learned gentlemen, for surely he would hardly take the position that the man in the situation in question should renounce legal marital obligations altogether and henceforward live with the woman he might select as his companion outside of the "marriage relation," notwithstanding that the court holds that no matter how many women a man may live with outside of that objectionable circle he cannot be held guilty of unlawful cohabitation.

According to this definition as to how a man might extricate himself from the plural marriage connection and conform to Judge Zane's ideas of the law, it might have been pertinent to ask him in addition whether it would be according to Edmunds for a man to take one of his wives and "hold her out" to the world for twelve months, or any stated time, then place her on the shelf and take up with the next, in rotation, and "hold her out," until he had alternately done the same by each, and then begin over again and repeat the process. This would be having but one acknowledged or "held out" wife at a time; and that point is the only one that Judge Zane appears to think it necessary for the polygamist to reach in order to free himself from the consequences of the law. A ruling from the Court upon that point appears to be strictly in order at this interesting juncture.

But there is one more point peculiar to the present process applied to "Mormons" accused before the District Court of unlawful cohabitation. The Judge held out to the three unfortunate gentlemen who were before him on Saturday an alternative by which they might have saved themselves from going to prison. If they would agree to conduct themselves according to his special programme in future they could escape that part of the penalty. Two of the brethren did not define by any expression of words what their course in future should be. They had no promises to make. Therefore what it will be was a matter of conjecture. But whether it was left to speculation or otherwise is of but little consequence to our present purpose. It was evident from the judge's statement that had they elected him to be their confessor he would not have imposed any

imprisonment. This leaves it beyond all doubt, therefore, that each of these brethren were imprisoned for six months in a loathsome jail for no offense that they had committed. They received that punishment solely and absolutely on account of something that the court supposed it probable they might do at some future time. So this, Daniel come to judgment, according to his own expressions and plain statements, does not confine himself to the punishment of offenses committed, but visits vengeance upon the heads of his victims on account of what they may probably do in future.

But that is not a new line of action for the court to pursue in this class of cases. When Rudger Clawson was before him for sentence that gentleman responded respectfully to an invitation of the judge, by stating his religious belief. This drew out a sermon from the Court, which remarked:

"The Constitution of the United States, as construed by the Supreme Court and by the authors of that instrument, does not protect any person in the practice of polygamy. While all men have a right to worship God according to the dictates of their own conscience, and to entertain any religious belief that their conscience and judgment might reasonably dictate, they have not the right to engage in a practice which the American people, through the laws of their country, declare to be unlawful and injurious to society."

Thus the Judge admitted that a man had a right to believe as his conscience dictated, and could not be legally or rightfully punished for it, but he overruled his own theory in this respect when he immediately announced the following:

"I confess that I should have been inclined to fix this punishment smaller than I shall, were it not for the fact that you openly declare that you believe it is right to violate the law—that you believe you are right in doing it."

All that amount of punishment inflicted in excess of what would have been given but for the belief of the prisoner was placed upon him, according to this statement, for no other reason than his aforesaid belief, and not on account of any overt act.

The judge, on Saturday, did several other extraordinary things besides those already enumerated. He inferentially dragged into the proceedings the name of a well known, honorable and respected gentleman who was in no way connected with the cases before the Court. He intimated what he would do if that gentleman were before him to be disposed of according to his arbitrary order. What made this freak appear all the more extra-judicial was the fact that a similar announcement had already in effect been made by the prosecuting officers of the government and endorsed by His Honor. Mr. Dickson's interpretation of the Edmunds law was that it was framed and enacted expressly to catch the leaders of the Church. It was directly aimed at that class. The Court coincided with Mr. Dickson's theory and ruled accordingly. The Judge wished the principal gentleman affected by this partisan and monstrous theory regarding class application of the law, to come before him and have its full force aimed at him. This invitation is more remarkable for assurance than modesty and consistency, and partakes a trifle too much of the nature of that given by the spider to the fly.

The gentlemen who were put through the extra-judicial mill on Saturday took the consequences of their position like true men. They are sustained by a consciousness of their own intrinsic innocence, having an inward approval that is denied to those by whom they are compelled to exist in a way that is almost intolerable for half a year. If the secret thoughts of those who have rendered it compulsory for them to occupy their present position for conscience sake could be read, they would tell a tale of discomfort and self-condemnation, unless the still small voice of the prompter has been long since silenced by continued ignoring of its admonitions. The martyrs to their convictions are also sustained by the healthy religious and moral sentiment of a great and virtuous community.

WILL NOT ACCOMPLISH THE OBJECT.

The attitude maintained by the brethren who were sentenced to fine and imprisonment on Saturday last has been a subject of general comment. To say that it is overwhelmingly approved expresses the sentiment but tamely. This feeling is not confined to people within the pale of the Church. It extends to all who have sufficient manliness in their composition to admire the characteristic in others. There is no reason why men who differ from other people should not contemplate with respect the action of those with whom they are at variance in standing by their convictions.

But the position of Latter-day Saints who are placed in circumstances similar to those which surrounded the brethren on Saturday is not an equivocal one. The ground on which they stand is not debatable. There is only one course that consistency points out. They can take no other and remain, in the true sense of

the term, in accord with their religious profession and the most binding obligations that can be entered into. While we take this ground we feel certain of voicing the sentiment of the community as a whole. If all who have entered into the relationships on account of which a number of brethren have already lost their liberty, were placed in a similar position to that which was occupied by the gentlemen who were sentenced on Saturday, it is presumable that at least nineteen twentieths would take the same course they selected. More than this, their action would be heartily endorsed by those who are not in a situation to be jeopardized by the same cause, but are one with the victims in their faith in the principle at stake.

The law-making and administering power step outside of their realm when they undertake to obliterate conscientious convictions, except when the practice of the latter infringes upon the rights of others. Essential crime can be suppressed by the passage and application of laws, that being their proper sphere, but no regulation outside of a mental process can extinguish the promptings of conscience. When the domain of religious conviction is invaded by special legislative measures they take on the complexion of persecution. In scrutinizing the course of Judge Zane, one cannot refrain from observing the care which he takes to assert that his course is free from the persecutive quality. He took special pains to assure the prisoners before him on Saturday of his freedom from having his judgment warped by that enemy of fairness. Yet the conflict between his words upon that point and his actions toward his victims was strikingly apparent. "The quality of mercy," as exhibited through him, was decidedly "strained." In each case he exercised all the power the law affords to make an appearance of persecution, so far as the penalty is concerned, going to the outside limit. Actions afford a better key to the character of a process than words, and between expression and action there was a distinct difference. But the resort by the professed anti-persecutive Judge to the maximum penalty of the law was not the only evidence of his predilection for severity, amounting to cruelty. In addition to consigning the victims to prison and fining them to the extent of legal power, threats of a renewal of the infliction were flaunted in their faces by His Honor. This professed non-persecutor intimated with much pointedness that the prisoners were liable to have the judicial dose repeated so soon as they emerged from jail. He gave them the soothing assurance, in effect, that they were candidates for imprisonment for life, with a slight vacation between, with an additional infliction of being compelled to enrich the Treasury of the United States to the tune of about \$600 per annum, more or less.

The lesson that is taught by the status of the crusade is plain. It is to the effect that its operations will not crush out the religious convictions of the Saints. Force cannot accomplish that feat. The crouching cowardice of a few out of the many who compose the community of Saints does not affect the main question an iota. It does not change the current of the sentiment of the people. It has the opposite effect. When examples of recreancy occur they stand out as indicators of rocks on which the faith and standing of hapless victims have been wrecked. They cause the beacon light supplied by instances of many integrity to shine with brighter luster, illuminating the path of the martyr. It may as well be understood now as at any other time that the brethren who are suffering for conscience sake are not solitary so far as sentiment is concerned. While they have made the sacrifice in fact multitudes stand ready to take the same course. They have made the sacrifice in their hearts. The alternative, so far as has yet been developed in the course of the crusade, that will enable its victims to escape confinement in a loathsome prison, is a renunciation of religious principles and conviction, of wives and practically of children. That is the issue, boiled down to a fine point. The price of freedom is immensely too great. And we put it right here to every sensible person, in the form of a question. Suppose any consistent man were to so far forget his obligations as to accept the alternative and make the renunciation, would he be any more contented and happy in his freedom from imprisonment than he would have been had he refused to take the step and gone to jail. Compared to the condition of a properly constituted man who may have, by some process, been induced to renounce religious and family ties and convictions, the man in prison who maintained his would be in a paradise. When a man who has formed family connections conscientiously casts off his religion and those who should be dearer to him than life, and for whose care and protection he believes himself responsible before God, what charm has life for him? The answer must be, none whatever.

The burden of our reasoning is to show that if the obliteration from the hearts of the Latter-day Saints of their religious convictions and the renunciation of the obligations they have formed in connection therewith are the objects sought by the crusade, the end will fall short of accomplishment. It will only cause the views of the people to send down their shoots and take deeper root. But, according to the

Salt Lake Tribune, which claims to voice the sentiments and intentions of the crusaders, if the present means fails, "confiscation of property" will be resorted to. But just what effect robbing the people will have in suppressing their religious sentiments does not appear. It is rather a barbarous weapon to use, even in an ignoble cause, in the nineteenth century. The same paper makes the following statement this morning: "We believe that two per cent. of the people of Utah are thieves." We are not generally able to agree with our cotemporary, on account of its predilection for taking the wrong side of questions, but we are almost inclined to credit its foregoing assertion with containing some degree of correctness. If the two per cent. are not thieves in practice as yet, they may be in theory. That is, providing the Tribune has enough endorsers of its sentiment favoring the "confiscation" of the property of Latter-day Saints as the next step of the anti-"Mormon" crusade.

Forceful methods will never coerce an honorable people like the Latter-day Saints into a renunciation of religion and family, which with them are, "One and inseparable, now and forever."

AN EXPANSIVE RULING.

An important point in the present anti-"Mormon" crusade seems to have been overlooked by those who are conducting its legal and judicial departments. It is singular that it should have escaped their observation, seeing they are so keenly on the alert to secure vantage ground, by fair means or foul.

We deem it our duty, in view of all the circumstances, to point out to the anti-"Mormon" persecutors that the gentlemen who were sentenced on Saturday for unlawful cohabitation are, according to Judge Zane's ruling as to what the offense consists of, daily guilty of the alleged crime for which they have been placed in durance vile. According to the definition given by the court it is only necessary for a man to "hold out" more than one woman to the world as wives to render him guilty of an infringement or breach of the third section of the Edmund law. These brethren have not denied the relationship they sustain toward their wives and the connection, so far as "holding out" and acknowledgment is concerned, remains unchanged. It is not even necessary that the ladies should live in the same habitation with their husbands to make the cases complete. Thus the way has been opened to have them daily (Sunday's excepted) indicted, tried and convicted. Thus they could be fined \$93,900 in one year, and during the same period be sentenced to imprisonment for 156 years and six months.

Judge Zane assured the victims of Saturday that they were not being persecuted, and as evidence of the lenient spirit by which he was actuated inflicted upon them the extreme penalty of the law, and informed them they were liable to a similar judicial prescription so soon as they emerged from prison. Had the scope of his interpretation of the Edmunds law occurred to him at the moment he might have further exhibited the absence in him of the persecutive spirit. He might have assured them of the liability under which they labored of a daily dose of the same medicine; for that remarkable ruling, defining cohabitation to be simply "holding out," presents the anomaly of a man being, while imprisoned, an hourly perpetrator of the offense for which he is incarcerated.

This is one of the anomalies of anti-"Mormon" jurisprudence, which brings to the surface more absurdities to the square inch than is presented in any other of its branches; to the square mile.

TACTICS OF THE CRUSADE IN IDAHO.

The Idaho wing of the anti-"Mormon" crusade is being pushed with remarkable vigor. At Paris, Bear Lake County, on Saturday last, as heretofore stated, a number of deputy marshals walked into a public building during the progress of a meeting and served papers upon two County Commissioners, who are summoned to appear before Judge Morgan to answer to the charge of usurpation of office.

On the same day a couple of brethren, named respectively Humphreys and Simpson, were arrested on a charge of unlawful cohabitation.

A contemptible character named McIntosh, who runs a saloon at Montpelier, telegraphed to Marshal Dubois that the latter's men had been resisted and run off by "Mormons" while attempting to make arrests. The Marshal at once chartered an engine and caboose and, accompanied by a posse of six or eight deputies, proceeded to Bear Lake Valley in hot haste. The party went to Paris, when they at once discovered that they had been made the victims of a hoax, perpetrated by the whiskey vendor already named. All was quiet, and no resistance whatever had been made to the officers who had preceded them. The party who had gone to Paris in such a hurry, armed and equipped for a

fight, were greatly chagrined at being impelled to undertake a fool's errand at the instigation of a lying reprobate. They made a raid upon the residences of President W. Budge, and Brothers J. U. Stucki and Walter Hoge, but were unsuccessful in finding the objects of their solicitude. They returned to Blackfoot in anything but high spirits, and a gentleman who was there when they arrived states that their ill-disguised rage at having been put to a great deal of expense and trouble for nothing, was not of a describable character, the maledictions pronounced by them upon the head of McIntosh being utterly devoid of elegance.

A plan has been arranged by the anti-"Mormon" crusaders by which it is expected that every man having more than one wife will be caught on the charge of unlawful cohabitation. Four young men have been employed for the attainment of the desired object. Two of them, Chris. Neilson and H. Clifton, are apostates, and the former, who is one of the worst characters in the north, is at present under bonds to answer to a charge of theft. The other is also a worthless fellow. The name of one of the others is John H. King, that of the fourth not having been obtained.

It is claimed that this quartette of scoundrels have given the name of all polygamists in Bear Lake County to the officers. In the event of other witnesses not being procurable, they are to act as a sort of standing committee of four on evidence, to testify in each and every case before the grand jury. Upon this *re liable* testimony it is proposed to indict every victim whose name they supply, those who are made the subjects of this process to be taken whenever and wherever found.

The trick played by McIntosh, the Montpelier saloon keeper, is another illustration of a common fact. It shows the readiness with which malicious persons coin false statements about the "Mormon" community. It also manifests the avidity with which people animated by a similar spirit are ready to gulp down infamous fabrications of that character. Probably Marshal Dubois has learned a lesson in point that will have the effect of contracting his swallowing proclivity when that kind of pabulum is presented in future.

REVISION OF THE REGISTRATION LISTS.

As required by law, the registration officers commenced the revision of the lists last Monday. They were further directed by the following clause in the late instructions issued to them by the Utah Commission:

1. The County Registration officer should forthwith procure from the Clerk of the County Court of their respective counties the last preceding Registry List on file in his office, and by himself and deputy, on the second Monday in May, proceed to the revision of the same, and for this purpose visit every dwelling house in each precinct and make careful inquiry if any person whose name is on his list has died, or removed from the precinct or is otherwise disqualified as a voter of such precinct, and, if so, to erase the same therefrom; or whether any qualified voter resides therein whose name is not on his list; and if so, to add the same thereto.

Quite a large number of people who were formerly disfranchised illegally by the action of the Commission and registration officers are now, under the late decision of the Supreme Court of the United States, enabled to vote. That such may be reminded of their privilege under the law and see that they are registered, we herewith append the explanations lately given by the Commission regarding who are eligible and who are not:

"1. The Registration Officers are required to exclude from the registry list every man who is a polygamist or bigamist, and every person cohabiting with more than one woman. They are also to exclude every woman cohabiting with any of the persons described as aforesaid.

2. A bigamist (or polygamist) in the sense of the 8th section of the Edmunds law is a man who has entered into the state of plural marriage, at any time in the past and still maintains that relation—it not having been dissolved by death, divorce, or "other effective manner,"—and he is still a polygamist even "though he restricts his cohabitation to but one woman."

3. If a man has married several women and he has died, the surviving women (if otherwise qualified) are entitled to be registered.

4. If, in such a case, all the wives, or all but one, have died or been divorced, the man is entitled to be registered.

5. The first or legal wife is not entitled to be registered, if at the time she offers to register she cohabits with a bigamist or polygamist, (unless the other wives are dead or divorced), nor is she to be registered, if she cohabits with a person cohabiting with more than one woman.

6. The disfranchisement operates upon the existing state and condition of the person, and not upon a past offense. It is, therefore, not retrospective. He alone is deprived of his vote, who, when he offers to register is then in the state and condition of a bigamist or polygamist, or is then actually cohabiting with more than one woman. But a bigamist or polygamist is such a person as is described in paragraph 2 above, (which see).