

DESERET NEWS.

WEEKLY.

TRUTH AND LIBERTY.

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PEOPLES PARTY TICKET.

Election, Tuesday, November 2, 1886

FOR DELEGATE TO THE FIFTIETH
CONGRESS,

JOHN T. CAINE.

THE REPORT OF THE COM-
MISSION.

DOUBTLESS the synopsis of the annual report of the Utah Commission, which appeared in Thursday's issue, would be perused with some interest. Want of space has prevented comment upon it until now. Taking the compendious statement of it as correct, it does not impress us as remarkable either on account of its logic or utility. It is simply a political paper, somewhat incongruous and quite devoid of originality. When critically scanned it will be found to be in conflict with itself.

It starts out with the broad statement that the law against polygamy and unlawful cohabitation is being rigidly enforced, a fact that leaves no room for dispute. The rumors set afloat by the proscription legislation howlers, to the effect that numbers of polygamous marriages are taking place, are given prominence, and then those reports are given a vigorous kick by a counter statement asserting that marriages of that character, owing to the aforesaid enforcement of the law, are decreasing.

Those two points of the report—the enforcement of the law and consequent diminishing effect upon the polygamous institution—would logically constitute a plea for no further interference on the part of the government. Ignoring this reasonable sequence of its own propositions, however, the Commission favors the adoption of the proposed anti-polygamy plank in the Constitution, with the further admonition that that measure should not supersede other more stringent enactments, for the suppression of what is termed a great and extensive evil.

The most speedy and effective extirpatory method—shooting the "Mormons" down in a truly Christian-like manner—is gravely hinted at. But the Commission does not appear to be quite ready to recommend the use of the military, and interposes but a single objection to it. It holds that, "Modern civilization will not permit the use of bayonets against women and children." How considerate on the part of "modern civilization," to be sure, and how very thoughtful of the Commission to remind the government that it should enter into the treatment of "Mormons" even of tender sex and age! It will be observed that the only obstacle that stands in the way of the bloody business is the bare fact that a large portion of those who would be its victims would necessarily be women and children. It does not seem to be taken into account that they are also entirely innocent of any crime either legal or intrinsic. That appears to be a secondary consideration, if it is one at all. Logically it will be inferred that if "Mormons" belonged wholly to the adult male section of the genus homo, the way would be quite clear, and their annihilation at the point of the bayonet would be eminently proper. It does not seem to figure in this relation that only a small number even of the rougher sex are practically connected with plural marriage, the only offense of the great majority being that of a peculiar belief which has not blossomed into action. And for this mental status they might, without shocking the sensibilities of "modern" civilization be butchered on short order.

As we have already said, the report is characteristically political. It throws a sop to every class. In the first place the Commission takes off its hat to itself in a congratulatory way, to show that it has done its part in carrying out the law in relation to elections. Then it throws a nut to those who view the "Mormon" people and institutions from the most sensible and conservative standpoint, by putting in what ought to constitute a plea for no further interference. A sugar plum is also thrown into the bowl held up by the rabidists who constantly clamor for proscription anti-"Mormon" legislation, while the blood and thunder dogs who shriek for wholesale military murder have a bone cast to them. The report shows a disposition to be "all things to all men" to such a degree as to render it somewhat ludicrous. It

reminds one of the fable about the accommodating man and his ass.

The document retires amid blue fire and smoke, theatrical thunder and slow music in the shape of "Asiatic barbarism," in relation to which we have a faint recollection of having heard something before.

PERFECTLY JUSTIFIED.

It appears that the people of south-eastern Idaho have more justification for organizing into an "Independent Party" than the hostile action of the Democratic Convention at Bellevue. John Hailey is proven to have worked diligently for the special prosecution of polygamists, and in opposition to "Mormon" interests in the counties where the "Mormon" population predominates. This naturally provokes the people by whose votes his election was made sure. Ingratitude never makes a pleasant impression, and now that the anti-"Mormon" wing of the Democracy in Idaho are manifesting that they are generally guilty of that sin, the doings of Delegate Hailey in the same line are naturally very provoking.

It is stated on good authority that in the summer of 1885 John Hailey declared to Attorney General Garland that if the Federal offices in Idaho were given to Democrats he would see that there were more "Mormons" in the penitentiary in four months than the Republicans had jailed in as many years. He now brags that it is through his influence that the prosecutions which have caused so much misery in South-eastern Idaho have been pushed to such extremes. It certainly looks as though there is something in this claim, and that the inhuman ferocity with which Dubois, while Marshal, pursued the "Mormons," was stirred up by Hailey's threat that unless Dubois was more active in this business he would have him removed. During the past year and a half about thirty "Mormons" have been sent to prison, when only two or three convictions were previously obtained.

In thus referring to Hailey's course we do not intend to palliate the doings of Dubois. We have several times referred to his statement at Blackfoot that he had "secured a jury that would convict Mormons, innocent or guilty, and that would convict Jesus Christ himself if he were up for unlawful cohabitation." The substance of this he had to acknowledge when placed under oath on the witness stand last May. This shows the character of the man. As one of the results of his unprincipled action we point to the case of Brother Rasmussen, of Mink Creek.

Dubois' creatures were sent to that quiet little settlement away up in the mountains, to capture some "Mormons." They made a raid on the Bishop's house and failing to snare their victim, whose name is Rasmussen, they pounced on a young man of the same name who had not one wife. He was hailed before that "impartial jury" selected to convict, and charged with unlawful cohabitation. Not a scintilla of evidence was adduced, except the statement of a vile impostor that it was believed the defendant had married a young woman who had waited on his wife while she was sick. The young woman testified that she was not married to any one. Her parents made statements to corroborate this, showing that she had been constantly under their watchcare and had slept at home and that she was never in Logan, as claimed, but once and that was with her father, and they stayed there but an hour and she had never been in the Temple. The defendant was put in the witness stand and he swore he had not married the girl nor any one else but his lawful wife, who also testified in corroboration of this and to the fact that he had not slept away from her. The evidence, so far from criminating him in the smallest degree, proved beyond doubt that the prosecution had made an error. Yet Dubois' jury, warranted to convict, brought in a verdict of guilty on two counts, and that undoubtedly innocent man is now in the Detroit House of Correction serving out a sentence of a year's imprisonment. That is how Dubois carried out the promptings of Hailey. We do not believe that even Hailey, however anxious he may be to see the Edmunds act enforced, would endorse the diabolism of such proceedings.

We consider Fred Dubois an utterly unprincipled and scheming adventurer. He has no fair claim upon the suffrages of decent men, to say nothing of "Mormon" support. A "Mormon" who would support Dubois for Congress would vote that Satan might have a seat in the councils of heaven. The Democrats at Bellevue have foolishly and ungratefully succumbed to the anti-"Mormon" clamor. John Hailey has publicly and emphatically endorsed their action. The organization of an independent party by the "Mormons" and their immediate friends is wise and justifiable, and they are at full liberty to make up such a ticket as will best represent them. They owe nothing to either national party. They are under no obligations to either of the territorial candidates. They should unite together for mutual defense and the attainment of their political rights, and use their power as prudence dictates. The name of the new party means just what it says. We wish it abundant success.

LIBERTY AT LAST.

LOVERS of justice who have taken any interest in the matter, will be gratified to learn that Brothers Ammon M. Tinney, C. I. Kempe and Peter J. Christofferson, have been pardoned by President Cleveland. A dispatch in this issue conveys this welcome intelligence. They were each sentenced to a term of three and a half years in the Detroit House of Correction, and to pay a fine of \$500. They were innocent of the offense of which they were convicted—polygamy—and the whole proceedings against them were most outrageous. They have been heretofore explained in these columns, and there is no need for a repetition. The victims have had the deep sympathy of a host of people, by whom their restoration to liberty will be hailed with pleasure. Justice has been tardy in reaching them, but it has come at last, although the victims of an exquisite piece of villainy have been done a wrong that cannot well be repaired. The action of the Attorney General and that of the President are commendable. They manifest the fact that there is a point in their ideas beyond which judicial perfidy, even when directed against "Mormons," may not go.

THE PARDONED PRISONERS.

SOME time since a letter was received by Hon. Franklin S. Richards from Ammon M. Tinney. The interest in the three brethren from Arizona who were sent to the Detroit prison having been pardoned by President Cleveland, we consider it proper to present to our readers the communication referred to, being kindly permitted to do so. It shows beyond question the position of its writer, and inferentially of his two companions in distress, C. I. Kempe and P. J. Christofferson. Here is the body of the letter:

"I received your kind letter and can only thank you at present for the interest you have taken in our behalf. We have, however, received word that the decision of the lower court is affirmed, which I suppose is the end of all hopes so far as the Arizona courts are concerned. In your letter you intimate the intention to carry our cases to Washington in hopes of a pardon. Last night I received word from friends of the energy of Brother Clawson at Prescott, which was very encouraging. Please bear with me while I ask some questions relative to this pardon business. What will there be required of me to obtain a pardon? Will it not place me in an unpleasant position or a wrong light before my brethren and sisters and my Maker? Cannot our sentences be commuted, (which is often done here)? So far as I am able to comprehend the situation, if my liberty were offered this very hour by means of a pardon, or by sentence commuted, thus obliging me to remain six months longer, I would choose the latter. Far better, a thousand times over, remain my full time than to place myself under the least obligations, for, be it known to all the world, I stand by my convictions and while liberty is sweeter than life, my hope is sweeter than liberty and, up to date, prison walls and cells have only tended to intensify the testimony that mingles with my life's blood. I know not what I may do to-morrow, but to day I am for God and that blessed people away in the tops of the mountains, who will yet call in question the destiny of the nation that has slandered, persecuted and driven, and at last by unconstitutional and proscription laws, has robbed us of those inherent blessings, every son and daughter of our Father is entitled to. But what comfort to know in whom we trust and that He will in His own due time vindicate our cause. Of course I am in prison and do not comprehend what is best, but I shall try with my faith and actions to comply with whatever my brethren deem wisest, knowing that in this matter they will guard my future welfare with that zeal they have ever manifested from my childhood.

"We are doing as well as circumstances will allow. Little, indeed, do you know about prison life. I have not been well, I think it is my appetite. I can scarcely eat enough to keep life in me from morning till noon, and when night comes I am so weak I can hardly get back to my cell. Remember me to all. God bless Israel."

The sentiments embodied in the foregoing are of the most exalted character. No matter how much people may differ from him by whom they are expressed, in relation to the cause which is pre-eminently nearest his heart, surely it is impossible to elicit from them any other feeling than that of admiration for him. Without entering into the merits of his religious or conscientious scruples, that they are grounded in him is beyond the reach of question. He is ready to relinquish liberty or life rather than be untrue to them. Consequently, his attitude presents the highest phase of moral grandeur. Such men are the antipodes of criminal. They are bright oases of integrity in the midst of the world's wilderness of moral turpitude. As there are but few master-pieces in art and poetry, so are there in that moral stability in which the God's delight. The present crusade against the Latter-day Saints is bringing such gems to light. They have existed in the community from

its incipency, and it requires but the polish given by the friction of bitter experience to reveal their shining qualities.

The conscientious susceptibility of the writer of that remarkable letter is phenomenal. It is so keen as to be beyond the comprehension of coarser natures. His soul recoils from the contemplation of accepting liberty by the process of a pardon for offenses of which he is innocent. This super-sensitiveness is, however, readily overcome by an analysis of the situation. By an act of judicial infamy he and his companions were deprived of their liberty. An application for a redress of the atrocity to that branch of the Government, so far as it could be carried, proved unavailing. When the cases were carried a step in advance of the court that convicted, the higher tribunal simply sealed the perfidious transaction. The only hope of relief under heaven lay in an application to the Executive. To the credit of the Chief of that department be it said, that he declined to permit a further continuation of the damnable judicial crime perpetrated in the name of law. Acting on the conclusion reached on the merits of the cases by his legal adviser, the President exercised his pardoning prerogative. To hesitate at its acceptance would have been a questionable attitude toward those who—by representation and application—interested themselves to have the captives set free, and to the Chief Magistrate of the nation. In addition it would have measurably prevented the government from vindicating itself on the subject. The matter of the form in which the release was effected is merely technical, which the recipient can afford to overlook. It appeared to be the only method by which it could be reached, and it requires a wide strain to place the acceptance of pardon in the light—in the remotest degree—of an acknowledgment of having committed an offense for which forgiveness was intrinsically needed. Had the clemency been conditionally extended the matter would have assumed a different phase, but, as we understand it, it was in that regard untrammelled, and worthy of all acceptance from the high source from which it emanated.

ONE OF MANY.

THE communication which appeared in our issue of Friday under the head of "Mormonism—A Plea for Religious Liberty," was written by a gentleman residing in Dentonia, Jewell County, Kansas, who has correspondents in Utah, from whom he has obtained correct information respecting affairs in this Territory. The article was published in the Cawker (Kansas) Record, accompanied by an apologetic paragraph from the editor.

This Kansas gentleman is only one among a great number of people in the United States who comprehend more or less clearly the insidious but deadly danger to some of the most precious of American institutions, with which is fraught the present warfare upon the "Mormons." It is true that members of this class are not often heard from through the public prints, in articles expressive of their views; but they number many thousands nevertheless. Their silence is due to other causes than their lack of numbers. They take but little, if any personal interest in the matter, and no circumstance exists or occurs to call forth from them any public or open avowal of their views regarding it. Then, too, it must be confessed many of the class referred to lack the courage to express their honest opinions.

But when one of them does speak out in a printed article like the one under consideration, the effect is emphatic on the mind of every person who reads it. Such a sentence as this is almost certain to arrest the attention of even a casual reader:

"And if the rights of American citizens are infringed or trampled upon in one instance, it opens a breach where in the rights and liberties of other citizens may be infringed or trampled upon in numberless other instances. It is said that 'Eternal vigilance is the price of liberty,' and if we would guard well the citadel, we must be careful of precedents."

It may be too late to avoid vast and disastrous consequences of their folly when the Americans learn that the preservation of constitutional principles means the preservation of their liberties, and their very existence as a nation, but such is the lesson which destiny has decreed shall be taught to the inhabitants of this continent.

THE KIND OF MEN THEY ARE.

THE correspondence of Elder W. J. Woodbury, in this issue, gives a pretty fair picture of the trials and dangers to which the "Mormon" Elder is constantly subjected in some portions of the world. The scenes he depicts are full of dramatic interest. Three missionaries and two or three friends dauntlessly face an armed mob who were seeking the lives of the Elders. The murderous crowd of cowardly ruffians quail before their intended victims. Then witness the heroism and desperate energy of Mrs.

Mary Carter—may she be forever blessed—who ran three miles to get ahead of a mob who were after two of the brethren, and failing to get in advance of the bloodthirsty crew, shouted her notes of warning in their very presence that the proposed victims might have time to escape threatened death. Throw in the interposition of divine Providence, to which the Elders attribute their deliverance, and the details make an interesting whole. The action of Mr. Harrison and sons was such as to win the most intense admiration. Such men as they, who, in placing themselves in the position of friends in need, calmly and resolutely face death, are scarce in the world. Long may they live and flourish. It is a question as to whether men who can face death and imprisonment unblanching when they are convinced they are in the line of duty, can ever be effectually crushed. Such are the Elders, as a rule. They are gaining an experience in the school of adversity that is destined to make them the most God-reliant and self-reliant class of men to be found on earth.

GERONIMO'S CAPTURE.

ONE would think, to judge from the papers east and west and the dispatches telegraphed to them, that there is something wrong in the War Department of the United States. It seems that General Miles was ordered by this bureau, and the President concurred therein, to make no terms whatever with the now famous—or infamous, as the reader prefers—Geronimo, because of numerous alleged murders and robberies which made him amenable to the civil, although pursued by the military power. Regardless of this, the General seems to have dealt with the wily chieftan as he would with any other prisoner of war, and doubtless regarding him, and justifiably so, as a human embodiment of Paddy's flea—that is, when your finger was placed on him he wasn't there—Miles concluded to take him on the best terms he could, looking to certainty in the matter of captivity. While the officer is located 3,000 miles away from the scene of his operations, and by those who "never placed a squadron in the field nor the division of a battle, know more than a splinter," he finds favor with General Phil Sheridan and the people in whose vicinity Geronimo made night hideous and daytime uncertain. It is always the way: Criticism is much easier than performance, and it is still easier to condemn than to carry out. Red tape and official solemnity are matters of education and opportunity, but actual exploits in the field are other and vastly different things.

The Indians are the wards of the nation, and their affairs properly pertain to the Interior instead of the War Department; but they are dealt with by both. To treat them as savages in the field and as civil criminals when captured, is something of an anomaly. To hang Captain Jack and banquet Sitting Bull, to board Hole-in-the-Day at Willard's and make an exile of Geronimo, shows that we are progressing very slowly in the matter of dealing humanely and justly with the native Americans because there is a painful lack of system and an almost absolute disregard of the ethics of national and native inheritance. The late President Young at once placed his handful of people on terms of amity with the aborigines by always feeding and never deceiving them; and General Crook, when once asked if he did not think the Indians were more sinned against than sinning, replied in his bluff way, "Undoubtedly, sir, undoubtedly." These points are worthy of consideration.

PROVO POINTS.

FIRST DISTRICT COURT.

DeWitt Watts, charged with a verdict rendered of guilty of grand larceny, received sentence yesterday. Through the leniency of the Court, the defendant was sentenced to one year in the Penitentiary.

Last evening a motion for a new trial was argued in the case of the U. S. vs. Kirkwood, unlawful cohabitation, on the grounds that there was no evidence tending to show that defendant lived with his wives during the year 1884; that the Court erred in point of law both in charging the jury and during trial; that the prosecution proved no venue.

After argument the case was taken under advisement. Other cases involving one of the same exceptions await this decision.

The sentence in the J. W. Loveless case was set over till the 21st.

Mr. Boregard was excused from the regular panel as a juror on account of ill health.

Counsel in the Pearson case had occupied three days yesterday in getting a jury and only nine were passed. All peremptory challenges that the law allows are about exhausted, and many are excused for implied or express bias.