

DESERET NEWS

WEEKLY.

TRUTH AND LIBERTY.

PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY.

CHARLES W. PENROSE, EDITOR.

WEDNESDAY - SEPTEMBER 30, 1885

SEMI-ANNUAL CONFERENCE.

To the Latter-day Saints:

The Semi-Annual Conference of the Church of Jesus Christ of Latter-day Saints will commence at 10 o'clock on the morning of Tuesday, October 6th at Logan, Cache County, Utah Territory.

JOHN TAYLOR,

GEORGE Q. CANNON,

Of the First Presidency of the Church of Jesus Christ of Latter-day Saints.

Salt Lake City, Sept. 17th, 1885.

A COUNTER CALL.

The old saying about a drowning man catching at straws is illustrated in the case to which the recent action of a prominent member of the community, when before the court, is being put by the opponents of the Church. It is causing a reversal of that call foretold by John the Revelator in reference to the gathering of the elect in the latter times—"Come out of her, O my people, that ye partake not of her sins and receive not of her plagues."

This new and affectionate invitation to come out and "be like the rest of us," is not like the message of the lowly Redeemer to the poor, the meek and the humble of the community. It is directed to the rich, the proud and the influential in a worldly point of view. It is—"Come out of the Church, O ye business men, following, so far as it goes, an illustrious example which has been set for you to pattern after. Come out and use whatever influence your money and position in society gives to assist you in pulling down that which has been the means of building you up; for out of the Saints have you made your means; if not directly, it has been by the prestige you have possessed through that medium that you have had access to the avenues through which wealth has poured into your laps.

Let it be understood that if there be men in the community who have attained to wealth and prominence through their association with it who desire to strike destructive blows at the bridge which carried them over the chasm of comparative poverty—to say nothing of spiritual blessings conferred—to positions of worldly ease, the way is open to such to take that course. It would be a regrettable spectacle, on their account, but not because of the bridge which is the objective point of attack. It would bring about their discomfiture, while the solid structure whose abutments are founded upon the rock of eternal truth, would stand unimpaired by such a puny assault. Not only would a response to such a call present a sorry picture because of ingratitude and broken covenants, but what can be said of a soldier who, though valiant enough in theory in times of peace—because of the comparative numerical smallness of the army in whose service he is enlisted, deserts the ranks at the first roar of battle and falls into the arms of the enemy? So it is when men beat an ignominious retreat from the files of the faithful in times of apparent danger.

The appeal of the enemies of the Saints to a class of men in the Church is based upon a forlorn hope of creating a schism that would hasten the work of disintegration which they hope to produce. Thus are the rich, or business men, called upon to "come out," and be used as a means to attain the end desired. To the men who are solicited, the request is the reverse of a compliment, and we do not believe that many, if any, will respond.

Both those who seek thus to seduce men from the Church, and those who would listen to the allurements, have no just conception of the character of the work in which the Saints are engaged. Those who have never been identified with it, and have therefore had no special opportunities of comprehending its nature, are open to excuse for anticipations of its fall-

ing to pieces in consequence of the withdrawal of any one or more of its adherents. Not so with those associated with it. They should be better informed, or might be on a moment's reflection. This is the work of the God of Israel, and if a man wishes to know how much his retreat would affect its progress, he can imake the discovery by comparative analogy. Let him stick his finger into a body of water, withdraw it and see the extent of the hole that remains.

Wealth has its sphere in sustaining the work of God, but it is but a secondary element. When associated with pride and selfishness in various forms in its possessors, it is an agent of evil. On its merits no man can be powerful in the hands of God. Separate from integrity, devotion and uprightness, it cuts no figure for good in the Church. It will be learned, sooner or later, that principle is the only lever of power; therefore the man that is governed and influenced by the truth is inestimably more wealthy, though he be the possessor of no earthly goods, than the rich individual whose course is governed by expediency and subterfuge. In the spiritual things of the Kingdom of God money is impotent. By its use no man could impart to the penitent believer the Holy Ghost, yet that power can be exercised by the poorest upright follower of Christ who possesses the requisite authority, which cannot be purchased with gold.

The present and impending perils which await the Saints will develop the true riches of man. They consist of the spirit of God, a sound understanding of the principles upon which the heavens are governed, and integrity that will enable its possessor to view death itself with complacency compared with the horror with which he will regard apostasy from the truth. One of the results of the attempts to crush the Church will be to cast off the unworthy. But there is another effect, the production of which will be gratifying to every true man and woman—the exhibition of the elements of true greatness by those who have heretofore been buried in comparative obscurity. A glorious work of evolution is in progress, the outcome of which will be—"The survival of the fittest." Those whose composition does not embody the elements of greatness succumb when confronted with a crisis, while the truly great, sustained by faith, rise, by the power of the Almighty equal to the occasion. Men of the latter class will yet be more in demand than all the wealth the world affords.

The efforts to produce a schism of any extent will fail. But if any success attend the attempt, it will have the contrary effect to that which is wished. The work of God will stand upon its eternal foundation, more solid for the removal of material incompatible with the character of the superstructure, which will yet become, "The joy of the whole earth."

A MORE EXTENDED STRETCH.

CHIEF JUSTICE ZANE having announced the latest judicial monstrosity, Associate Justice Orlando W. Powers, Judge of the First District, arises and says—I second the motion.

It appears that the last named official must have made a discovery since his advent to Utah. He appeared to start out with the spark of a disposition to administer the law in a spirit approaching fairness. This scintilla of judicial conservatism was soon extinguished in the breast of the new Judge. The discovery we refer to is that the more pronouncedly anti-"Mormon" his course the greater the plaudits he would receive from the opponents of the Saints, who are numerically tremendous.

In the spirit of this discovery his honor does not propose to be outshone by any other occupant of the bench in Utah. Doubtless this ambition to eclipse all other judicial competitors is partly due to the fact that his associates are republicans while he is a democrat. He evidently proposes to show that in the arena of anti-"Mormon" judicial jugglery, a representative of the party out of power will appear as a farthing rushlight compared with a democratic star of the first magnitude. His honor of the Third District gave him the opportunity and he was not slow to embrace it.

Judge Zane having shown his hand in giving a detailed explanation of the new method of transforming a penalty consisting of six months' imprisonment and a fine of \$300 into one of any required dimensions, according to the measure of the victim to be subjected to it, it remained for the gentleman who presides over the judicial destinies of the First District to outstrip him in making the new definition describing the elasticity of the Edmunds act.

In exhibiting the segregating system the Chief Justice announced that the time that a man had lived and cohabited with more woman than one as wives could be divided into years, months or weeks, and separate bills of indictment be found for each fragment of time. Here was the opportunity of Judge Powers to show his anti-"Mormon" proclivity, besides a predisposition for detail that is not far from the verge of the remarkable. He simply multiplied the Zane possibilities of the Edmunds act in the matter of placing "Mormons" on the rack by seven, bringing down the divisions to days. This was a master stroke, because the

maximum aggregate penalty under Judge Zane's divisional process—there being 156 weeks in the three years since the passage of the statute—would amount to imprisonment for only 78 years and a fine of \$46,800. According to Powers, the obnoxious "Mormon" could be sentenced to an aggregated term of 547 years and six months, and compelled to pay a fine of \$328,400. If he happened to be impetuous, he could be made to remain in prison 91 years and three months longer, in order to satisfy the "poor convict act."

The advantage of Judge Powers' delineation of the elastic law lies in its greater capacity to more completely scoop in a larger amount of "Mormon" money, and owing to the more extended period of promised incarceration, the more effectually make the victims tired. Such lengthy periods in prison would certainly be conducive to fatigue, and be a powerful test of endurance.

There is one point that appears to have escaped the observation of the two astute judges in relation to the interpretation of the Edmunds act. Suppose that a Latter-day Saint subjected to either the 78 years penalty or that of 547 years and 6 months should be so fortunate as to "shuffle off" his "mortal coil" before the expiration of the term? Can not these noble and ingenious men devise some scheme under the stretching statute by which such an escape from the rigors of the law could be met? Why not extend its penalties to the other life? There is one difficulty in the way that will doubtless be insurmountable. The victims who might succumb by being released from life under such a regime would be sure to go to a place under the immediate supervision of the God of Mercy, with whom no contract can be made by men of the bitter anti-"Mormon" stamp. They are in harmonious unity, judging from their *modus operandi* with the "powers" of darkness, so that the victim relieved by death would not be within their reach any more for ever.

But if Judge Powers has seized an opportunity to excel, why should not the remaining occupant of the bench in Utah stand—circus fashion—upon the judicial shoulders of the other two, and instruct the Grand Jury of his district in regard to segregating—for anti-"Mormon" purposes—a given time into hours, and indict accordingly.

We have heretofore shown that the penalty for unlawful cohabitation can be manipulated very much as a tailor fits a customer with a suit of clothes—according to the size of the victim. The case of President Hugh S. Gowans suggests another idea connected with this process of enlargement or contraction. He evidently received one indictment for the alleged offense and two for being President of a Stake. If the disposition to eclipse manifested by Judge Powers be infused into the Grand Jury which forms a part of his court, may it not be reasonable to expect that a Stake President would be indicted a number of times proportionate with the difference in the segregating process as defined or limited by the two judges who have ruled upon the question. If so, if Brother Gowans had been under the jurisdiction of the judicial genius of the First District, would it not have been reasonable to expect that he would have been placed under seven times as many indictments as have been imposed on him? They would have aggregated a possible penalty of ten years and six months, and a fine of \$6,300. What a fortunate being he must be from this standpoint!

If the law was intended to be so elaborately and viciously applied as it is now construed, why was not the discovery made sooner? Surely such an interpretation could not possibly have escaped such keen intellects as adorn the bench of Utah. It must be a matter of conjecture as to whether they were not aware of the possibilities of the statute a considerable time before springing the trap, and were simply holding it in reserve for special purposes. The action of the leading authorities of the Church in retiring for a season, from public places, has been reflected upon. Their enemies and a few pretended friends have been anxious for them to come out and "face the music." Baits have even been thrown out to induce them to step into the snare. In relation to the assumption of such a position by the enemies of the Church we have but little to say, but if those pretending to be on the friendly side who have questioned the consistency or propriety of the course taken by the leaders of the Church do not feel the reverse of costly, they certainly should. Developments are constantly occurring that ought to show the dullest minds that the amount of consideration or justice they would receive at the hands of the courts of Utah could be injected into a person's eye without causing him to wink.

The tone of the anti-"Mormon" prints is in beautiful harmony with the judiciary. Some of their contributors are local legal luminaries. To find such writers sustaining a construction of law that places a power in the hands of a Grand Jury to jeopardize the liberty of accused persons to any degree they may desire, lifts them to the summit of combined absurdity and animus. They appear to consider that to so interpret a law so that it can, on the same principle, consign people to prison for contracted or expanded periods, at the option of the courts, is lovely, because the victims are "Mor-

mons." It is held that good sense and good law are closely related. But law of that kind and sensible conditions are as completely divorced as Utah Judges demand that "Mormons" shall be from their plural wives. There is a good deal of hypocrisy lying around loose, and some of the anti-"Mormon" professed indicators of the law have got much more than their share. The fact of their being members of the human family is no credit to the race.

THE TIMBER QUESTION.

THE timber interests of the Territory are very important, and as the subject has been agitated lately through the official actions of what are known as "Special Timber Agents," we deem it advisable to acquaint the public with the law in the premises; in order that those who have not already posted themselves, may be able to protect their interests, and that all may be intelligently guided in their operations. The law as interpreted by the Hon. Secretary of the Interior seems to have been grossly misunderstood by some of these special agents entrusted with the duties of protecting Government timber, and much trouble and annoyance to settlers have been the result.

In a circular now before us, the objects of the law prohibiting the cutting of timber under certain conditions are ably and distinctly set forth, and no one interested who becomes acquainted with the views of the Government on this subject, can fail to see that he should use his influence in favor of the law and its just and proper enforcement. But at the same time, agents who inform themselves as they should in regard to the matter will not deem it their duty to harass or annoy persons who are engaged in the woods, upon slight pretenses, and without just and reasonable cause.

The Act of June 3, 1878, which prevails in the States of Colorado and Nevada and the Territories of Utah, New Mexico, Arizona, Wyoming, Dakota, Idaho and Montana, and all other mineral districts of the United States, provides that all citizens of the United States, and all other persons, bona fide residents of either of the said States and Territories, are authorized and permitted to fell and remove, for building, agricultural, mining or other domestic purposes, any timber or other trees growing or being on the public lands, said lands being mineral, and not subject to entry under existing laws of the United States, except for mineral purposes, in either of said States, Territories or Districts. The said act also provides that the privileges therein granted shall be subject to such rules and regulations as the Secretary of the Interior may prescribe for the "protection of the timber and of the undergrowth growing upon such lands, and for other purposes."

According to this law and the regulations which have been from time to time issued thereunder, only bona fide residents of the Territory are permitted to fell or remove timber from our cañons, and such residents are confined in their cutting to lands which are situated in districts of country that are mountainous, interspersed with gulches and narrow valleys, and in which minerals are known to exist at different points; which lands, in the absence of proof to the contrary, will be held to be mineral in character, by the Department. The timber so felled must not be shipped from the Territory. No timber less than eight inches in diameter is to be cut or removed, and there is to be none wantonly wasted or destroyed.

In reference to the shipping of timber, the removal of it from one Territory across the line into an adjoining Territory, but not out of the same general district or section of country, is not forbidden. The prohibiting of exportation has a wider and more reasonable object than a mere technical one. In the language of the Secretary, it is "to protect settlers in sparsely timbered districts from being deprived of the timber necessary for their domestic uses. It is not, however the intent of the Department to strictly enforce a technical prohibition, in places where the interests of the settlers in the districts from which timber is cut and removed are not injuriously affected thereby."

Again as regards the size of the trees felled, the Secretary says that "the object of the Department in prohibiting the cutting or removing of trees less than eight inches in diameter, is the preservation of the young timber and undergrowth so as to provide a supply for the future, when such trees shall have matured. But it is not the intention to prohibit the cutting or removal of any full-grown tree belonging to a species which, when mature, does not exceed eight inches in diameter, or of any mature tree; nor of trees of any description, even if less than eight inches in diameter, if it can be shown that there were no other trees in that vicinity." This entirely frees persons who have at times been censured by the officers for cutting as firewood, our scrub oak brush, maple and quaking asp which never, in this region at least, grow to any material size.

Locators of mining claims have the exclusive right, as long as they comply with the law governing their possessions, to cut timber from the surface of their individual claims. But the

Government does not assume to punish persons who infringe on these rights. The owners alone are concerned, and may of course maintain suits for their protection. Those cutting timber should be careful to abstain from trespassing upon any mining claim in the felling of timber, as in doing so they may incur suits with the individual locators.

As regards wanton waste, the circular says that any person "who fails to utilize all of the trees cut that can possibly be used, or to remove the brush and take every reasonable precaution to prevent the spread of forest fires, or who in any other particular wastes and destroys the public timber, is guilty of trespass upon government land."

It is well known that a forest once started through some careless act of a thoughtless person, is much more widely spread by means of loose undergrowth and refuse timber, than it would be if the ground were kept comparatively clear of everything but standing trees. It is the duty of all to assist the Government in protecting our timber by using their energies in the direction named. But officers should not be too technical upon any of the restrictions of the law, as much is left to their discretion and judgment, and to the practical workings and necessities of the lumber business.

In this connection it may be well to quote the Secretary's own words. He says: "Special timber agents should remember that it is not the purpose of the law, nor of the regulations of this Department, to prohibit the use of so much of the public timber as may be actually needed by bona fide settlers for agricultural and domestic purposes, but to prevent its being made an article of speculation for the pecuniary gain of a few individuals, to the detriment of the many, or from being wantonly wasted or destroyed. When an agent understands this, and convinces the people in the district to which he is assigned that such is the case, he will find no difficulty in securing their active support and co-operation."

It will be readily seen by the above that no "snap judgment" practice is intended by the Government; and it is manifestly the duty of agents to inform persons, who in their opinion are trespassing, wherein the trespass consists, that they may bring their operations within the prescribed limits of the law.

Again the secretary says "it is not the object of the Government to persecute poor woodchoppers, or cutters who are employed, or induced to fell or remove the timber for others who are to reap the profits therefrom; but to punish the principals therein, or the parties to be directly benefited in the case, they being the more guilty parties."

We understand that in certain parts of the Territory all operations by resident mill men have been summarily stopped. It seems to us, in the absence of a complete knowledge of all the facts, that on the broad principle laid down by the Department, the course is unwarranted and inconsistent with the requirements of the settlers in those regions. It is very plain to the thinking mind that the manufacture of lumber in cañons is a very essential industry. Few lines have such local importance, and to cripple the interests of residents engaged in this business, is tantamount to encouraging and even necessitating the importation of such materials from the forests of California, where, we understand, Chinamen are employed by the thousand, to the exclusion of the permanent settlers in the United States. We consider it to be in accordance with the policy of the Government, as enunciated by the Secretary, for agents to confine their labors to such cases as work an actual injury to the settlers, and tend to the existence of those evils against which the law was evidently intended to provide.

We are informed that a meeting of the lumber men is to be held at Logan on the 8th of next month, for the purpose of considering the question, and taking the necessary steps to have certain actions of the special agents in this Territory tested in the courts. As we are given to understand these actions have been contrary to what is laid down in the instructions of the Department, and cited briefly in this article, we consider the move of the lumber men decidedly a good one; that the entire subject may be intelligently discussed, and, if needs be, that Congress be petitioned for such modifications of the law as shall render the building interests of these Western Territories more secure and advantageous.

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