

## DESERET NEWS:

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TRUTH AND LIBERTY.

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## THE LATE CONFERENCE.

THE instructions given through the general and local authorities of the Church during the late Conference of the Salt Lake Stake were exceptionally good, being closely adapted to the circumstances of the people and the character of the times.

It was clearly shown that the frequent occurrence of infringements of the requirements of the Gospel and the existence of a certain degree of iniquity in the Church—as complained of in some of the reports—were largely due to a lack of the intelligent and assiduous exercise of the duties of the Lesser Priesthood—Priests and Teachers. Some of the Bishops, it was held, do not seem to sense the fact sufficiently that it is one of their special obligations to see that those officers laboring under their direction perform faithfully the duties devolving upon them, the health and life of the Church being largely dependent upon activity and fidelity in that department. It was made exceedingly clear that the Bishops should maintain in their completeness all the necessary local organizations under their supervision and jurisdiction, seeing that every man is in his proper place, and seeking to use to the best advantage and to develop all the talent possessed by the people under their direction. The Bishop who appears to imagine that he must fill every position and perform almost every duty himself is the least progressive of any, and he is the most useful who seeks to keep those under his supervision the most actively engaged in various avenues of usefulness.

Some of the people appear to have an idea that dancing has been given to the effect that dancing should be abolished as an amusement. This is an error, that counsel only have reference to round dancing. It was, however, strongly urged that dancing parties, which should be strictly social gatherings, should not in any case or for any purpose be gotten up as a means of raising money, no matter for what object it might be intended to use funds derived in that manner. Other entertainments, properly conducted, however, could be made a source of revenue when necessity appeared to demand it.

The instructions given on Sunday morning successively by Bishops Burton and Preston were of the soundest kind, showing that the spirit of their calling in relation to the temporal affairs of the Church, rests down upon them. Waste of property, in leaving valuable machinery out of doors to be spoiled by the action of the elements, careless farming in general, evidenced by poor products raised on good soil, the lack of union in temporal affairs in some of the wards, going needlessly into debt, giving "iron-clad notes" for machinery far in excess of what is required, were all denounced in appropriate terms. The people were advised to store grain against a day of necessity which is approaching, to pay more attention to home industries and manifest less of an inclination to use imported in place of locally-made goods.

The discourse of President George Q. Cannon embodied many striking truths. He defined with remarkable clearness the difference between men who were called of God and those who are impostors or are operated upon by the powers of darkness. People who resort to astrology—sign doctors—users of peepstones, and all other people who operate upon the superstitious fears of others by asserting that they are bewitched were denounced in scathing terms, as misleaders and deceivers of the unwary, and the curse of God would rest upon them, unless they repented.

President Woodruff was specially urgent upon the Saints in relation to going into debt, which should be avoided, that the people might be free and not under bondage.

President Taylor's discourse was calculated to inspire the hearts of the Saints with faith and hope no matter what circumstance might arise. He exposed the wickedness and hypocrisy of the opponents of plural marriage, and predicted that the blight of the Almighty would rest upon those who oppose Zion, while the work of God would go forward unimpeded to a triumphal issue.

## FRAUD PREVAILS.

WE learn by private advices from Boise, that the plot to exclude the members of the Idaho Legislature elected in Oneida County has been carried into effect, full investigation into

the frauds at the election being avoided, and the persons who obtained their certificates by force being admitted to their seats. We are not surprised at this. But if the regularly elected officials, county and territorial, let these frauds go without prosecution, they deserve to be counted out.

## A VERY IMPORTANT QUESTION

JUDGE ZANE's opinion in the case of Sugden vs. Senior is given in full in this paper. It bears on a very important question. The legal status of a plural wife after the death of the first wife, the husband being still alive, has been passed upon in this ruling. It will be seen that His Honor is of the opinion that the status of the plural wife remains unchanged by the change of circumstances and conditions described. This, if correct, throws her out of any inheritance in the husband's estate.

We think this matter is entitled to some further consideration than that apparently bestowed upon it in the Judge's Opinion and the arguments of counsel. It is conceded that a plural wife is not a wife in the eyes of the law. Under the ordinance of marriage as believed in by the Church of Jesus Christ of Latter-day Saints, plural marriages may be contracted, which have the Divine sanction and the consent and approval of the parties chiefly interested. God, the Church, and the family directly affected, recognize the plural marriage as of equal validity with the first marriage. But it is not claimed to be valid under the secular law. It asks for no such recognition. The parties are indifferent to the opinions of those not immediately interested.

During the lifetime of the first or legal wife, then, the plural wife is not, and does not claim to be, a wife in the sight of the laws of the land. So far there is no dispute as to her legal status. But is there no change in her condition before the law when the legal wife dies, providing her family relations with her husband are continued? Judge Zane says there is not any change; we think there is. He has the right to his views, we have a right to ours. He may publish his opinion, we may publish ours. But his decision has legal force and effect, while our conclusion has only such effect as it may produce on the public mind by the force of reasoning.

Seeing that there is no statutory marriage law in this Territory, the common law is said to prevail. If a man lives with a woman as his wife and introduces her and acknowledges her as such in the presence of others, under the common law, she has a legal standing as his wife, providing, of course that there is no one else living who has that status of right. After the death of Edward Senior's first wife, it appears that Eliza, his former plural wife, lived with him as his only wife and bore his name, being called Eliza Senior as defendant in the action before the court. Under the common law then, was she not his legal wife? If not, why not?

The formal marriage with Eliza contracted during the lifetime of the first wife, though valid ecclesiastically, was void in law; there is no dispute as to that. But when the man Edward Senior had no other wife living, and then acknowledged and lived with Eliza Senior as his wife, continuing that relation, publicly known, until his decease, we claim that the woman was his wife under the common law, and was therefore entitled to her legal share in the estate of which he died intestate.

The conditions changed at the death of the first wife. There was then no plural wife. Eliza Senior was Edward Senior's only wife. No ceremony of marriage is requisite under the common law. The consent of the parties subsequently confessed or acknowledged, or even inferred from continual cohabitation and reputation as husband and wife, is sufficient to establish a marriage under the common law, except for purposes of a criminal prosecution or a civil action for adultery.

If we are not mistaken, Judge Zane has permitted evidence to be adduced in his court, even in a criminal prosecution, tending to prove a marriage by the simple admission of one of the parties—the defendant, that the woman with whom it was claimed he had contracted a polygamous marriage was his wife. Is such evidence admissible in a criminal prosecution, how much more convincing is it in a civil suit which does not require proofs as definite as in a criminal action?

This is a matter of great importance in this community, where circumstances similar to those of the case under consideration are numerous. In Utah a plural wife who subsequently becomes the only wife is the acknowledged and recognized lawful wife, and should be so for the purpose of inheritance, in law and in justice. If there was any ceremony required in Utah to constitute a legal marriage the case might be different. But under the circumstances we have described, we do not see how a Court before whom an argument based on these grounds was clearly presented, could endorse the ruling of Judge Zane. We hope this case will go to the Supreme Court of the Territory on appeal, that all the questions bearing upon it may be thoroughly investigated.

## ANOTHER WORD OF WARNING

WE take from the *Rocky Mountain Christian (?) Advocate*, a sheet published in this city, the following, to which our attention has been called by a gentleman interested in the cause of education:

"A conference of the pastors of the evangelical churches, and the principals of the various schools of this city, was called recently for the purpose of discussing the relation of the Christian educational work to mission work in Utah and the success it has already achieved.

"The question was then considered as to what has become of the pupils who have attended and been educated in our Christian schools for the past sixteen years? In reply to this, Prof. Miller, Principal of St. Mark's School of the Episcopal Church, the oldest and largest school in the Territory, stated that he had lost track of the pupils who were in attendance previous to ten years ago, but since then, to the best of his knowledge, no scholar who had been in attendance for any length of time, had ever gone back into Mormonism, and in support of this, reference was made to a statement of Bishop Tuttle, of the same church, that 'never had a boy or girl from their schools grown up a Mormon.'

On the other hand it was admitted that many of these have drifted away from directly Christian influences, and have become indifferent to all religion, but it was contended, and the history of Christian work proves true, that it is easier to reach an intelligent, although indifferent, non-Mormon, than one who has fully embraced the Mormon doctrine.

Moreover, it seemed to be the conviction of all present that it is almost impossible to reach one who is in full sympathy with the Mormon faith, and convert him directly from Mormonism to Christianity. Apostasy is commonly a necessary preliminary step before he can be approached successfully by the Gospel of Christ. One great end of our work of education is to undermine the faith of the Mormon people, and at present this cannot be more effectually accomplished than by the co-operation of school and church."

We think the foregoing worthy of notice by all our leading men in the various settlements of this Territory, that they may present it for the consideration of every person within their influence claiming to be a Latter-day Saint. It proves beyond dispute what we have claimed on several occasions, namely, that the great aim and purpose of those sectarian teachers here who pretend to be simply secular educators, is to lead away the children of "Mormon" parents from the faith of their fathers. This has been denied by many of those teachers, and disputed by persons professing to be Latter-day Saints, who have sent their children to be taught in the sectarian schools.

Those teachers have pleaded that they only instruct their pupils in the rudiments of learning and do not attempt to teach Methodism, Episcopalianism, Catholicism, Presbyterianism, Congregationalism, or any other ism, nor to undermine or say anything against "Mormonism." And the people whom they have deceived remark: "Oh, there is no harm done; the school is not sectarian, and the teacher has assured me that nothing will be said in the school against the doctrines of our Church." We have repeatedly shown the fallacy of such remarks, and proved from the arguments used by the societies in the East that support those sectarian teachers, that the real object in sending them to Utah is to convert the children from "Mormonism."

Now look at the remarks we have quoted from the *Advocate*! Particularly note the concluding paragraph: "One great end of our work of education is to undermine the faith of the Mormon people." This is the language used when those teachers meet together. When they talk to "Mormons" whose children they wish to lead astray they have indifferent tale to tell. Now, mark it, Latter-day Saints! When a teacher, sent here by any denomination of apostate Christendom, tells you that he or she has no intent to lead your children away from the parents' faith, the pretence is a LIE. That is the great end of that teacher's mission work in Utah, and all pleadings and arguments to the contrary are so much wilful falsehood and base deception.

Not only is this object openly avowed when those teachers assemble, but they boast of their success in this direction. Here is what one of them declared: "No scholar who had been in attendance for any length of time had ever gone back into 'Mormonism.'" Here is the statement of another: "Never had a boy or girl from their [Episcopal] schools grown up a Mormon." This is food for reflection to those parents claiming to be Latter-day Saints, who place their little ones under the guidance and influence of sectarian teachers. If they are indifferent as to the faith of their children, they should not pretend to be Latter-day Saints. If they desire their children to grow up in the faith of the Gospel, they should keep them from influences designed and used for the purpose of leading the children astray. Is there any sane person who will attempt to dispute this?

There is another thing to consider. From the above extract it will be seen that those Christian (?) teachers feel

that they have achieved their purpose, if a "Mormon" boy or girl is led entirely away from "Christian influences" and becomes "indifferent to all religion," so long as he or she is "converted from Mormonism." This is the idea: "Undermine the faith of the Mormon people by leading their children away. No matter if they become infidels; so long as they are not Mormons our work is accomplished and the mission for which we are paid our salaries is fulfilled." Is not this a sweet and lovely labor for "Christian" teachers and pious educators of the young?

The impossibility of converting to "Christianity" one who is in full sympathy with the Mormon faith" is again admitted by the "pastors of the evangelical churches and principals of the various schools of this city." What is the reason of this? It is because most of the "Mormon" people are familiar with the errors and fallacies of the evangelical denominations, and know their utter lack of divine authority as well as their inconsistency and entire departure from primitive Christianity. A Latter-day Saint who lives his religion has a divine witness of its truth, and knows modern Christianity to be human and doomed to certain decay. To attempt to "undermine" his faith is labor in vain. But if one professing that faith can be hoodwinked and deceived into placing his children under the care of those "Christian" teachers who have one story for parents and another in convention, there is some chance to lead their innocent souls astray, and if they cannot be made over into sectarians they can at least be converted from "Mormonism" if the result is their becoming "indifferent to all religion."

These "evangelical pastors" and sectarian educators have a perfect right to establish their schools and do all they can to turn the young as well as the old away from "Mormonism." No one who is properly minded will interfere with them. They must not be molested in any way. They have as much right to their views as we to ours. But their intentions and objects should be understood. If they lie and deceive they ought to be exposed. When they pretend one thing and act another their true character should be exhibited. We shall do our part in presenting them as they are before the public. And every consistent individual must concede that, believing as we do that our religion is true and divine, and that theirs is false and human, it is our duty to warn people of our own faith against the deceptive efforts of such persons to lead away our youth, undermine our religion and accomplish through the tender minds of children that which they cannot effect by appeals to the mature and responsible.

Once more we say to the Latter-day Saints, Be not deceived! "Beware of them who come unto you in sheep's clothing, but inwardly they are ravening wolves." And remember that God will hold you responsible for the little ones given to your guidance, and that it is vain for you to labor to build up Zion and then turn the rising generation away to be led by the influences of Babylon.

## THE EXECUTION AT LARAMIE.

YESTERDAY we published a brief account of the hanging, at Laramie, last Friday, of a young man named George Cook. The crime thus expiated upon the scaffold was the murder of James Blunt, brother-in-law of the assassin, the deed having been done a year ago last Thanksgiving Day.

We learn from Joseph Blunt, of the Twenty-first Ward, that the murdered man was his brother, and paid him a visit in this city shortly before he was killed, after a separation of twenty years.

The unfortunate man was foreman of the rolling mills at Laramie, and had been compelled to discharge Cook on account of his idle habits and incompetency. Cook held a grudge against Mr. Blunt on that account. He (the murderer) came out here just before the visit of his victim, and stayed at Joseph Blunt's house in this city, a short time, and next proceeded to Green River, where he associated with the cowboys, and assumed habits of the most vicious character. From there he returned to Laramie, where he waylaid his brother-in-law on the street, shot and killed him in a most cowardly manner.

Mr. Joseph Blunt made the following statement this morning, which we give without any attempt at explanation:

"On the day the murder took place, while I was at work in the upper part of my house, a great commotion occurred down stairs. My wife and some of the children heard a noise as of some one falling, and for several seconds there was a succession of groans and moanings as of a person suffering mortal agony. The inmates of the house were greatly startled, and seeing no person about they ran outside expecting to see some one dying upon the front stoop.

"I came down stairs, not having heard the peculiar noises myself, however, and found Mrs. Blunt almost frantic with fear, as she believed that the phenomenon was meant as a warning that one or other of her sons, who had gone out shooting, had been killed, and she refused to be comforted until they returned safe.

"A few days afterwards I received a letter from Laramie giving the details of the murder of my brother, and so far as I could learn, the deed was

done at the precise moment the singular sounds were heard in my house."

The murdered man was originally from Birmingham, England, bore an excellent character, and was a very capable workman. He had several times signified his intention of coming to Utah to live, as he liked the place very much. He left a wife and three children, all of whom are in Laramie.

## COMMENTS OF A GEORGIAN.

By courtesy of Dr. Jesse J. Murphy, we are enabled to peruse a letter from Mr. W. J. Farr, of Augusta, Georgia.

He speaks in denunciatory terms of the notorious bogus "Red Hot Address," published by the Salt Lake *Tribune*, and says in effect that it is no wonder that it inflamed the minds of the ignorant whom it reached and led to deeds of bloodshed.

He draws the Doctor's attention to the fact that Senator Brown, who, in standing up nobly in defense of constitutional principles in the Senate, was a genuine advocate for the rights of the "Mormons" in common with other citizens, was re-elected by the almost unanimous vote of the Georgia Legislature, there being but one dissenting vote in the Assembly. Mr. Farr looks upon that incident as a hopeful sign in favor of the "Mormon" community, and indicates that those who oppose their being constitutionally oppressed lose no popular favor in consequence, but confidence in their integrity is increased rather than diminished.

In the same connection Mr. Farr might have pointed to nearly every instance of Senators and Representatives taking a stand for constitutional principles and the common rights of citizens, when the liberties of the majority of the people of Utah have been assailed. Nearly all who took a position of that character in opposition to the outrageous anti-Mormon legislation when it has been proposed, have been returned by their constituencies by largely increased majorities.

## LEADVILLE AND SALT LAKE.

A SHORT time since the News made some comments on the efforts that are being made by Mr. W. H. Stinson, of the Leadville *Democrat*, and also the *Chronicle* of the same place, up a closer business relation between Salt Lake and that city. The *Democrat*, after quoting the News' article on the subject, comments as follows:

"The *Democrat's* object in sending a man to Salt Lake was to agitate the subject of establishing closer trade relations with that city, and from the success thus far met with, we have no doubt his mission will result in some practical good. The products of the great Salt Lake valley can have no better markets than the mining camps of the Rocky Mountains, and if proper concerted efforts are made at both ends of the line, there need be little trouble in securing a trade that will benefit both sections. Grain fruit and produce generally are cheaper in Utah than in any western State or Territory, while at the same time of a better quality. These necessities cost consumers in Leadville more than they should, caused in large part by the fact that they have heretofore been hauled long distances, and subjected to the expense of breaking bulk at Denver. Now that Salt Lake is but thirty hours from Leadville, and that freight comes through without transfer, we should be able to get everything much cheaper than formerly, and still leave the Utah producer a larger margin than they can possibly obtain elsewhere. If the merchants of the two cities will join in a movement looking to an equitable adjustment of freight rates, the dealers, producers and consumers, as well as the railroads, will reap a material reward. The subject is worthy the serious consideration of our people."

## D. AND R. G. COLLISION.

THREE MEN KILLED AND OTHERS WOUNDED.

The accident which happened on the D. and R. G. Western near Thistle yesterday, which the News briefly made mention of has created considerable excitement in our city, especially among railroad men.

The following message was received yesterday after we had gone to press.

"We met with an accident to-day near Pole Canon, between a work and regular freight, killing three men and wounding three others, damaging one engine and four or five cars. Cause not yet ascertained fully, but said to be carelessness on the part of the conductor of the work train. You are at liberty to give all the news we possess to the papers.

W. H. BANCROFT."

Two of the bodies were brought to the city last night on a special train, the third will be brought here as soon as it is taken from underneath the engine, which is on its side.

An inquest will be held this afternoon beginning at four o'clock.