

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

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CHARLES W. PENROSE, EDITOR.

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WHO ARE THE PERJURERS?

THE San Francisco *Chronicle*, in an editorial headed "Justice in Mormonism," exhibits high glee over the prospect that the "bigamist" recently convicted will receive "the full term in State prison which the law allows." This is, of course, quite natural when the malice of that paper towards the "Mormons" is considered. And we do not care to comment upon this remark nor on the probabilities as to fallacious anticipations. We desire to notice the opening sentences of the article, which are these:

"The Clawson polygamy trials in Salt Lake have had some remarkable features. The first trial was characterized by wholesale perjury on the part of some of the leading Mormon officials, who testified to an amount of ignorance in regard to the fundamental ceremonies of the religion which would make their offices the finest sinecures in the world."

It is not surprising that such charges as these are made against "leading Mormon officials," when the sources of information from which such conclusions are derived are examined. The dispatches sent from this city to western press are the "pointers" that the coast papers rely on concerning such matters. They proceed from the same unsavory source as the *Tribune* articles in this city, conveying similar charges. They are usually unreliable, often misleading, sometimes wilfully and entirely false.

It is very easy to make the charge of perjury. It is not quite so easy to substantiate it. In this case it cannot be proven nor has any attempt yet been made to support it by anything but general assertion, rank blackguardism and vile invective. The facts in the case are these. The "leading Mormon officials" who were placed on the witness stand were summoned by the prosecution for the purpose of proving if possible, by the Church records and by the supposed acquaintance of those officials with the particulars, the fact of a marriage between the defendant and a second wife. But these witnesses were not in possession of the information desired. They were not present at any marriage between the parties, they knew no more about it than the common rumor, and perhaps not so much on that as some of the jury, and they were not the custodians of the records. They neither denied nor affirmed the fact of the marriage or the existence of such records as the prosecution assumed to be kept. They simply did not know of the marriage nor where such records could be found. That was all that was in any way pertinent to the matter in question.

Because they could not give the information desired, low-lived scribes who gain their living by misrepresentation and abuse, who cannot or will not ever state fairly the position of an opponent, who invariably misstate a proposition and distort a fact in controversy, charge these witnesses with perjury. And this charge is sent on lightning wings to do lying service in the anti-"Mormon" cause abroad. From whom do these charges emanate? From those who practice that of which they accuse their betters, only they are not called upon to make oath to their falsehoods. The only thing that saves them from the brand of perjury is the fact that they do not swear to what they say. They pretend to know all about polygamous marriages. They pretended to know of the plural marriage, the subject of this prosecution. Why did they not go on the witness stand and give their precious evidence? The answer is they did not know anything about it. Neither did the witnesses accused of perjury. They were not required to tell what they believed, imagined or had heard. They were to testify of what they knew. A man's neighbors may have heard that he has taken a plural wife. Report may be very busy with his name and alleged marital relations, and yet that neighbor may know nothing whatever that can be called legal evidence or would be proper to give under oath in a court of law.

But the villains who make a trade of besmirching reputations, at once pour out their torrents of abuse on the heads of witnesses who will not swear to things they know not of and boldly accuse them of perjury because they will not commit perjury. If any "Mormon" witness should really be guilty of that great crime, is it to be supposed for a moment that he would not be prosecuted for it? With all the animus that has been exhibited against the "Mormon" people throughout this prosecution, would it not be strange that a "Mormon" committing per-

jury during the proceedings would escape being legally charged with that offence?

If perjury is such a common crime among the "Mormons" as has been alleged, why is it that witnesses who are supposed to know material facts are accused of concealing themselves to avoid service of summons? Could they not come in to court and lie as glibly as the *Tribune* and as foully as the author of numerous press dispatches? When the witness Lydia Spencer was found and brought into court why did she refuse to be sworn, and face the danger of imprisonment? Was it not because she would not lie? And when she finally testified that she was married to Rudger Clawson, why did she not tell a falsehood instead and screen the man she loved and to whom she was bound by the most sacred ties? Simply because she knew that perjury was a sin.

Why did Anna Gallifant, Belle Harris, Nellie White and others refuse to testify before the Grand Juries that sat as their inquisitors? Why did they not tell any kind of a story that would have kept them from imprisonment? Simply because they would tell nothing but the truth if they testified at all, and would rather be imprisoned for life than commit perjury. Why did Prest. Daniel H. Wells go to the Penitentiary rather than answer certain questions if perjury is, as alleged, not only permitted, but taught by the "Mormon" Church? Why did he not depart from the truth and save himself from the consequences of contumacy?

The Doctrine and Covenants, a standard of our faith, containing revelations from Almighty God to this Church, have these positive injunctions:

"Thou shalt not lie; he that lieth and will not repent shall be cast out." Sec. xlii: 19.

"And if he or she shall lie, he or she shall be delivered up to the law of the land." Ibid, 86.

"I have commanded you to bring up your children in light and truth." Sec. xciii: 40.

"Wherefore let every man beware lest he do that which is not in truth and righteous before me." Sec. i: 9.

These are divine injunctions to the Latter-day Saints, or "Mormons," as they are called, and are binding upon the Church. It must be understood that in these trials for polygamy legal methods are employed. Is it wrong to meet them with legal methods? Technicalities are used to their full extent by the prosecution. Is it wrong to insist on technicalities in the defense? The defendant is placed in legal jeopardy. He has the constitutional and statutory right to all the safeguards which the law has furnished to accused persons. If he has broken the laws of the land, that must be proven according to the laws of the land. This is in harmony with secular law and also the divine law to our Church.

Therefore, when the burden of proof is upon the prosecution, people who believe that the act which is made a crime by law is not an essential sin or violation of morality, are not to be expected to rush eagerly to the witness stand and help to convict the accused, and neither are they open to the charge of perjury when they tell nothing but what they know and refrain from giving for evidence that which is nothing but hearsay and rumor. The real falsifiers are those who accuse them of falsification.

A VERY SOFT BUNN.

GOVERNOR BUNN of Idaho has written a letter to Fred T. Dubois, the person who is endeavoring to manipulate the political affairs of Oneida County in the interest of the Anti-"Mormons." Here is the letter as published in the *Utah Journal*:

BOISE CITY, Idaho, Oct. 19, 1884.

Dear Sir—Yours of the 16th came yesterday and filled me with hope for the redemption of Idaho from Mormon violence, knavery and degradation by the election of an Anti-Mormon Legislature. I sincerely trust your prognostications may not be ill-founded, and from my knowledge of your rare discernment and deep penetration, I feel assured they are not. In answer to your inquiries, I have to say that the Saints of that unholy organization known as the Mormon Church live in violation of the laws of the general government, and therefore are not entitled to participation or consideration in the making of laws for the government or improvement of this Territory. It would be a poor, weak, wabbling executive indeed who would be guided by, or even listen to, a class of law-breakers in the framing of legislation. Bringing to the discharge of my duties no infinite wisdom, no infallible judgment, no boundless experience; coming here a stranger with no friends to serve, no enemies to punish, standing upon the broad platform that governments are created for the benefit of the governed and not the governor, I profess to have and hold no other ambition than to know the laws and execute them, to study the wants and the requisite conditions of the Territorial weal and abundant prosperity, and use the functions of my office and what influence I may possess to suggest and forward such salutary legislation as may in my judgment, prompted by the knowledge, experience and wishes of the law-abiding people, conduce to the general good. As a governor I have no party, as a Republican no faction, as a

citizen no interest that conflicts with the public welfare, and as a Christian no religion that does not rest upon the supremacy of God and the divinity of Christ and is pronounced in its opposition to a creed that is predicated upon the debasement of woman and the corruption of man. I thank you most heartily for your pressing invitation to address the people of Eagle Rock, but am constrained by a combination of circumstances to decline, which I assure you is much against my inclination. Please extend to them for me my full sympathies with them in their highly laudable desire to stay the advance of the black shadows of polygamous Mormonism and accept for yourself my highest esteem.

Very truly yours,

WM. M. BUNN.

Governor Bunn, if he lives a little longer, will perhaps learn a little more. His wholesale lumping together of the "Mormon" people as living in violation of the laws of the general government, is well known to be incorrect and its injustice will strike every informed and reasonable mind. And the assertion that because they are "Mormons," they are "not entitled to participation or consideration in the making of laws for the government or improvement of the Territory," is so partisan, bigoted and illogical that the Governor of Idaho could not have understood the full purport of his own remarks when he made them. He must be aware that those "Mormons" who cannot be convicted of violating any law are entitled to just as much consideration in laws that affect the common welfare, and also to equal participation in the making of those laws, with any other class of citizens in the Territory.

We agree with the Governor that any creed that "does not acknowledge the supremacy of God and the divinity of Christ" is not Christian; and that a creed that is predicated on the debasement of women and the corruption of man, is also not Christian. But if Governor Bunn imagines that the "Mormon" creed is of this character, he is very much mistaken. It is clear he does not understand either the "Mormon" creed or the "Mormon" question, and we think it will show more wisdom on his part, if he abstains from committing himself upon either topic until he becomes better acquainted with the subject.

ALL RIGHT FOR ME, ALL WRONG FOR YOU.

If a meeting of "Mormon" Church officials should be held in support of a nominee for a local office, the cry would go up from the throats of Utah "Liberals" that Church and State were united, and the circumstance would be pointed out as proof of ecclesiastical influence in secular affairs.

But a meeting of clergymen can be held in New York, and Mr. Blaine be present, make a long speech and receive their endorsement accompanied with loud cheers, and that is all correct. There is no danger of "Church and State" in that; no ecclesiastical influence in secular affairs. Those clergymen, variously estimated in number according to the exact (?) report of the Associated Press, at from 200 to 1,000, can go to their congregations and advise them to vote for the Republican candidate and it is quite proper and even desirable. It makes a great difference sometimes who performs a given act. What is praiseworthy in sectarians, is damnable in the "Mormons," and that which the former may do with impunity, is considered sufficient in the latter to furnish argument for their entire political disfranchisement. Funny world, isn't it?

UNIVERSITY LANDS COMMISSIONERS.

OUR readers will remember that an able argument was submitted by C. W. Stayner, Esq., to the Utah Commissioners in favor of the counting of the votes cast at the August election for Commissioners to Locate University Lands. The right of the candidates to have the votes counted was clearly sustained and the absence of all legislative and judicial powers in the Utah Commission was also demonstrated. Mr. Stayner has received the following in relation to this matter:

OFFICE OF THE UTAH COMMISSION, SALT LAKE CITY,

Oct. 28th, 1884.

C. W. Stayner, Esq., Salt Lake City, Utah.

Dear Sir—I am directed to inform you that the Commission have had under consideration your argument in relation to canvassing the ballots for Commissioners to Locate University Lands, and that the further consideration of the question has been postponed until Nov. 13, 1884.

I am, sir, very respectfully,

ARTHUR L. THOMAS,

Sec'y Utah Territory.

Hay-Fever. I recommend to those suffering with Hay-Fever, Ely's Cream Balm. I have tried nearly all the remedies, and give this a decided preference. Hardware Merchant, Ithaca, N. Y.

MASS MEETING AT PROVO.

AN IMMENSE GATHERING—GREAT ENTHUSIASM.

A rousing political mass meeting was held at Provo on Thursday evening. Hon. John T. Caine and party were met at the depot by a brass band, and a number of vehicles by which they were conveyed to the hall where a large congregation met at 7 o'clock, the place being packed in every part and many persons remaining at the entrances. John C. Graham, Esq., was chosen chairman. The band played, and a brief and pithy opening address was made by Judge Warren H. Dusenberry.

Hon. John T. Caine delivered an elaborate and able argument on the subject of the proposed Legislative Commission, showing its unconstitutionality, injustice and needlessness. The dealings of the British Government with its colonies was contrasted with the course of the United States Government towards Utah. The aims and objects of the so-called Liberal Party were exposed, and its fallacious statements refuted. The Edmunds law was criticised and its effects described. The course of Governor Murray was exposed and denounced. The political history and progress of Utah was rehearsed, showing by irrefutable arguments and undeniable facts the capabilities of its people for self-government and the rights, powers and limitations of Congress in regard to its lands and the colonies that might be established thereon, were clearly defined and contrasted. The address was a thorough exposition of these subjects, and was loudly applauded at intervals and at the close.

S. A. Kenner, Esq., followed, and in a lengthy but spirited and pointed speech, presented the claims of the "Mormon" people to political liberty and all the rights and privileges of citizenship. He commented on the various Liberal candidates for Delegate from McGroarty to Smith, and caused considerable merriment in describing them. He took up the speech made by the "Liberal" candidate at Ogden, and showed the nonsense it contained, provoking the audience to continued laughter. The speaker's sarcasm, wit and pungent comment made the "Liberal" candidate's utterances appear highly ludicrous. He touched on the question of the decisions of legal tribunals, and showed their value. He closed with a strong appeal to the legal voters of Utah to do their duty and to manifest their adherence to the principles of the People's Party by their votes on the 4th of November, when the country was going to "elect Grover Cleveland President of the United States."

Hon. C. W. Penrose was the next speaker. He was under the impression that the so-called "Liberal" party was dead; that the people knocked it on the head with a stout Caine in 1882, and buried it under their ballots at the Delegate election. Its present convulsive activity he designated as the ghostly animation of a galvanized corpse. After several humorous remarks, he took up the thing recently put forth by the "Liberals" as a platform. Showed the position of the People's Party on the question of Church and State. Proved that no such ecclesiastical control of secular affairs as claimed by the "Liberals" exists in Utah. The influence of men holding ecclesiastical positions in all the affairs of life was explained and defended, and the difference pointed out between that and the "domination of a Church over the State." He maintained that those who had been temporarily disfranchised by the operation of the Edmunds law were still citizens, with all the rights belonging to citizenship except the privilege of voting, and called on all who held the right of franchise, male and female, to exercise it having no young man's or old man's, monogamists' or polygamists', party or faction, but one, undivided, united People's Party, the unity of which would be its permanent strength.

Junius F. Wells, Esq., next addressed the audience. He spoke upon the rights, privileges and duties of citizens and especially those of the People's Party, and delivered a neat and forcible speech which was well received.

He was followed by Hon. Jas. Sharp, who made a telling speech, conspicuous for its brevity and characteristic for its humor and common sense reasoning.

The Provo brass band played between the speeches and Mr. Twelves sang "The Star Spangled Banner" in excellent style, the audience joining in the chorus. The speeches were all vociferously applauded, and there is no doubt that the effect of the large and enthusiastic meeting will be to stir up the slothful, and swell the majority by which the People's Candidate will be elected on Tuesday, November Fourth.

GRAND JURY SECRETS OPENLY PUBLISHED.

THE daily *Libeller*, alias *Tribune*, of this city, publishes this morning what it claims to be a portion of the minutes of the grand jury, for refusing to testify before which Anna Gallifant was sent to the Penitentiary, five days before she gave birth to a child. These pretended minutes make Anna Gallifant answer some of the very questions

for refusing to answer which she was imprisoned like a convict.

The correctness of these minutes are open to dispute for several reasons. One is that they are published in the *Tribune*. Another, that during the two trials that have recently occasioned so much comment, the prosecution has played the grand jury testimony dodge to its full capacity. Witnesses have been intimidated by the insinuation that they had made certain damaging admissions to the grand jury which they were contradicting before the petit jury. This has been tried in numerous instances and the witnesses have expressed the utmost astonishment at the pretended testimony which it was intimated they had given before the grand jury, and have declared solemnly that they gave no such testimony at any time or in any place.

The object of the insinuations of the prosecution that the witnesses had given conflicting testimony on different occasions, was evidently to produce a bad effect on the jury. The grand jury minutes were not cited or produced openly. The prosecution had no right to read them in open court. There is no proof that the insinuations of the prosecution were founded on truth; the evidence of many witnesses goes to show the contrary. And now that which the prosecution dared not give to the jury, that which the law requires to be kept secret, is openly published in a newspaper for the purpose of influencing the jury and damaging the defense in a case still pending.

For these reasons and because the pretended answers of the witness Anna Gallifant, are some of them such as she was not likely at all to make, and which it is well known she refused to give, and was willing to be imprisoned rather than give notwithstanding her delicate condition, we consider the pretended minutes utterly unreliable and that they carry with them *prima facie* evidence of having been doctored for a purpose.

And now we ask, by what right are statements made in secret as provided by law, given to the public by officers of the law, through a notoriously disreputable newspaper which is trying to prejudice the court and the jury against the case of the defendant now in legal jeopardy? If it is whispered around at any time that something done in a grand jury room has leaked out and become known to a "Mormon," what a hubbub ensues in consequence? The necessity for secrecy and the law providing for it are dilated upon, and the direst vengeance is invoked upon the individual who is supposed to have sprung the leak. And yet to-day questions and answers alleged to have been made before a grand jury, which the prosecution dared not speak about before the trial jury, are given to the public, court, jurors, witnesses and the world!

Is this not contempt of court? Or is that offence limited to the refusal of delicate women to answer questions to them of the most painful character? Is the dignity of the court upheld by this open violation of its rules, and placed in imminent danger by the reticence of a witness? Or is it all right because the contempt arises from a virulent anti-"Mormon" source?

We say nothing about the indecency, effrontery and utter lack of principle exhibited in the publication of this pretended evidence before a grand jury, but being just as anxious as any one that the dignity of the court which cannot brook the silence of a lady witness should be properly upheld, we do point to this publication of alleged proceedings which the court holds must be held in secrecy, as a glaring case of contempt on the part of the paper which has published them and that of the official who gave them away. And the object and intent of their publication—to prejudice a case in court to the detriment of a man placed on trial, is dastardly in the extreme, and a piece of audacious infamy that would be perpetrated by no other paper in the land but the Salt Lake *Tribune*.

LOCAL NEWS.

FROM FRIDAY'S DAILY, OCT. 31.

Immigration.—The following telegram has been handed us to publish:

"NEW YORK, Nov. 2, 1884.

President John Taylor:

Ninety-three Danes on *City of Berlin*, landed in charge of Elder E. K. All well, leave to-morrow. *Arizona* sailed (from Liverpool) yesterday; 163 British; company divided through fire on Nevada.

JAMES H. HART."

Four Generations.—This morning we were shown a group consisting of four members of the family of Father David James of Paradise, Cache County, representing that number of generations of that lineage. They are: the veteran just named, aged 81 years; David James, Jr., aged fifty-two years; son of the latter, David W. James, aged 26 and a half years, and David W. James, Jr., one year and a half. A group such as this is exceedingly rare, so far as the number of generations in a direct line is concerned, and the picture is a fine one, being a credit to Mr. Ralph Savage, the artist, of whose skill in photography it is an excellent specimen. Long may the originals of the group remain intact, untouched by the encroachments of the universal leveler.