

DESERET NEWS: WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - MAY 30, 1877.

THE GRAND JURY OF THE THIRD DISTRICT, AND WHAT IT MEANS TO DO.

In the Salt Lake correspondence of the New York *Herald*, under date of May 16, occurs the following passage—

"A cloud of witnesses will assemble here, and the Grand Jury of fifteen, of whom twelve can present an indictment, has for the second time in the judicial history of Utah only three Mormons on its list. It will resolutely endeavor to indict Brigham Young and others for the crimes of which they are accused, and for that purpose it will sit, if necessary until September."

It appears to us that there is a thing or two in the above that need explanation. In the correspondence of which the above is an extract, it is stated that the Grand Jury was to meet May 21st, which it did. But the question may be pertinently asked—how did the *Herald* correspondent know that the Grand Jury "would resolutely endeavor to indict Brigham Young and others?" Are grand juries empanelled for the special purpose of endeavoring to indict certain members of the community? We have always understood that grand juries were empanelled to examine the charges and the evidence that might be presented before them, and to indict the persons charged if the evidence was considered sufficient to sustain those charges. But here in Utah, according to the *Herald's* correspondent, things are to be done differently during the present term of the Third District Court—the Grand Jury is to meet for the especial purpose of making a "resolute endeavor to indict Brigham Young and others," and it is further asserted that "for that purpose it will sit if necessary until September!" So if by any means the Grand Jury should fail to indict those persons, it would fail to do that which it particularly met to do, and which it resolutely endeavored to do during a long term! This is nice business for a grand jury, is it not?

Another curious thing is that this Grand Jury, according to the *Herald* correspondent, is not only to "resolutely endeavor to indict Brigham Young and others," but that this resolution was premeditated and formed and communicated to the *Herald* correspondent a week or so before the Grand Jury met! Is that the proper business of a grand jury—to agree, before it meets, to resolutely endeavor to indict certain members of the community, and also to inform a newspaper correspondent of this resolution, that he may cause to be published to all the world, before this extraordinary Grand Jury meets, what it intends to do when it does meet?

Here another question suggests itself—on what did the Grand Jury base this singular resolution to "endeavor to indict Brigham Young and others?" Was it on the personal desire of the members of the Grand Jury for such a thing to be done? For the witnesses, on whose evidence indictments should be preferred, do not appear before the Grand Jury until after it has met! Did the Grand Jury know beforehand what evidence was to be brought before it in particular cases? Did it know beforehand what witnesses would be brought before it and what their testimony would be? Did the Grand Jury hear and consider and vote upon that evidence and testimony beforehand, and thus come to the conclusion that a "resolute endeavor to indict Brigham Young and others" would be in order?

The correspondent must have interviewed the Grand Jury, otherwise how could he have known that it would "resolutely endeavor to indict Brigham Young and others" when it met? If he obtained this information from the Grand Jury, then another and very serious question arises—what right had any member of the Grand Jury to tell any outside person, and especially a newspaper correspondent, that the Grand Jury

intended to indict certain persons if it were possible to do so? Grand jurors take an oath of secrecy, yet here it appears that the Grand Jury, or some portion of it, tells a newspaper correspondent what the Grand Jury means to do, whom it means to indict, and thereby forewarns those persons and gives them a chance to escape beyond the reach of the law, all of which is entirely antagonistic to the well known duties of grand jurors, and supposedly to the public welfare. When a man has been indicted, a grand juror has no right to let the person indicted know the act, or cause him to know it, except through the ordinary course of law. Yet here, apparently, some grand juror, speaking for the Grand Jury, tells a newspaper man who is to be indicted, and this a week before the Grand Jury meets to hear the charges, and to hear and weigh the evidence on which those charges are based. Very singular judicial proceedings, these are.

There is another thing yet. The correspondent says the Grand Jury not only will "resolutely endeavor to indict Brigham Young and others," but "for that purpose it will sit if necessary until September." How did the correspondent learn that a week before the Grand Jury met? The Grand Jury could hardly have imparted that bit of information, for how would the Grand Jury know how long it would sit? Had it not only determined beforehand that it would "resolutely endeavor to indict Brigham Young and others," but also determined beforehand to sit all the term out to give full scope to that endeavor? The Grand Jury does not discharge itself. That is usually done by the Judge. Is it possible that the Judge had told the Grand Jury, before it met, how long it might be expected to sit? Or did his Honor impart that information to the *Herald* correspondent? If so, how could the Judge know what evidence would come before the Grand Jury, and how long it would take the Grand Jury to hear and dispose of it?

There is certainly something very strange about the whole affair. As it stands, without explanation, does it not look as if there was a grand conspiracy on foot to resolutely endeavor to have Brigham Young and others indicted, if such a thing were within the range of human possibility, and to consume the term of the entire session in the consummation of that endeavor? Furthermore, does it not seem that not only is such a conspiracy under way, but that it involves the principal judicial functionaries? And lastly, is this the way justice is to be administered in Utah?

MORMONS PEACEFUL, INDIANS PEACEFUL, BUT STILL SEND MORE TROOPS.

THE *Corinne Record* of May 22 has the following rather amusing chapter—

"It will not do to manufacture a cheap sensation for the purpose of obtaining soldiers for distribution in this Territory, for in a few weeks at most the bubble of untruth must be pricked, and with its disappearance the soldiers will be recalled. We do not ask for troops because of anticipated violence from the Mormons, but because we are desirous of avoiding in the future any such Indian alarms as have been occasioned in the past."

"The trouble of two years ago was in more respects than one a great injury to Corinne. True, soldiers were sent and remained here a few weeks, but the train bearing them back to their old quarters had scarcely reached Ogden before large numbers of the same Indians were again on the ground which they had been ordered to leave, and the same apprehensions for the safety of life and property were again and have since been quite as fully felt by the people of Corinne. Lately, however, no alarmingly hostile demonstrations have been indulged in to warrant another request for soldiers, but as we know not what a day may bring forth, so are we now alive to the situation and our present indefensible position. There is not in Corinne to-day a single (or married, for that matter) soul who does not feel that he is at the mercy of a pack of savages, and this reflection unfits him for every day duties and fills him with an ap-

prehension that an American citizen ought to be a stranger to."

"As we have before remarked, it is to be hoped that in the future no more such alarms as that of two years ago will take place. For the sake of our wives and children, if for no other reason, it is desirable that no more Indian troubles be encountered. But to reach this end we must have troops. The protecting wing of our respected Uncle must shadow our homes, and then all will feel relieved of troublesome apprehensions and no more talk of massacring will be heard in the land."

THE NAUVOO LEGION AND ARMING AND DRILLING.

THE following is from the telegraphic correspondence of the New York *Herald*, under date of Salt Lake, U. T., May 16—

"Last evening I addressed to Daniel H. Wells, lieutenant-general of the old Nauvoo Legion, and second counsellor to Brigham Young, the following note:

"Dear Sir—Is the report true that members of the Church of Jesus Christ of Latter-day Saints, especially those belonging to the old Nauvoo Legion, have resumed their arms and military drill in various parts of Utah within the last few weeks? The order issued by Col. Dame shows that some companies at least have been commanded to put themselves in martial order. I am told that similar directions have been disseminated throughout the Territory. Are you aware of the purpose for which Colonel Dame's order was issued? Do you know what is intended by militia drills in Utah at the present time? Is there, in your judgment, any ground for the report that President Young or any other member of the Church of Jesus Christ of Latter-day Saints would attempt resistance in an extremity to the operations of United States laws?"

"Very respectfully yours,
"Correspondent of the New York *Herald*."

"General Wells responds:

"Dear Sir—No order has been given for a muster of the legion. There is no intention on the part of Brigham Young to resist the laws, nor does anybody intend resistance to them on his behalf. We should only be too glad to see the laws enforced. Col. Dame expressed his desire to be relieved, and may be getting his command ready for his successor."

"Respectfully,
"DANIEL H. WELLS."

"A passage in General Wells' note, which is somewhat scarred by erasures, deprecates the attachment of any belligerent meaning to the present military manoeuvres."

"THE MORMONS DEFYING JUSTICE."

THE above is the title of an article in the Philadelphia *Times*, of May 21, which title is false to begin with.

We know probably quite as much of the "Mormons" as the editor of the *Times* does, and, so far as our information extends, instead of "defying justice," they are waiting patiently, and have been waiting patiently for years, for justice to be done to them.

The *Times*, referring to the discussion of things pertaining to Utah in the New York *Herald*, acknowledges that it has a sensational flavor, and that "great allowance is of course to be made for the fact that the Gentile in Utah has a direct interest in making the Mormon play the part of the bottom rail, and too many of these Gentiles partake largely of the nature of the species of political vermin known in another section of the country as carpet-baggers." Yet the *Times* itself indulges in misrepresentations and falsehoods of a glaring nature, a few of which we will give as specimens of the rest—

"There are nearly forty thousand children in Utah who have been born there and are to grow up under influences in every way hostile to virtue and loyalty."

False. If there is a more virtuous

and more loyal community in the land than this, where is it? Certainly not in Philadelphia, virtuous and loyal as the people may be there.

"They are taught, as their ignorant fathers and mothers have been, that adultery is a Christian duty; that the life of a Gentile is worth no more than the life of a dog if it stands in the way of Mormon advancement; and that the United States government, which has given them a home and all that they have, is a creature of the devil, to be fought with fire and sword."

False, false, false. Nowhere in the world is adultery accounted a more heinous crime than in Utah. Children are taught no such things here. These absurd teachings exist only in the imaginations of such persons as the writer of the article in question in the *Times*. Otherwise, they are mere fictions, and they are fictions there too.

The United States government did not give the "Mormons" a home in these valleys—it has given the "Mormons" nothing whatever. They have made their own homes here. All that they have they have paid for, have worked hard for, and they have worked for more than they have been paid. When the "Mormons" settled these valleys, they were Mexican territory. The United States Government left the "Mormon" people on the plains to starve or live as best they could. This region was then considered incapable of sustaining civilized life, and the general expectation and hope were that the "Mormons" would starve to death in the Salt Lake Basin. But they are not so easily starved to death. They lived. They struggled and toiled. They redeemed the desert. They made it capable of sustaining civilized life. They made it a place to be desired, habitable and pleasant, smiling with fruits and grains and vegetables and farms and gardens and flocks and herds and houses and towns and cities and schools and places of worship and of other public resort. They caused a hundred and fifty thousand people to make their homes here. What did the United States government do to help them in this heroic and unprecedented labor? Took five hundred of their strongest men to fight against Mexico. After the "Mormons" had demonstrated that white men could live and prosper in this region, the Government granted a territorial form of government to the settlers, but has persistently denied to the people who have done all this for their country the rights and privileges of a State government. From the beginning of a Territorial Government in this region, more or less of the government officials sent here have made it their especial study to ridicule, deride, annoy, insult, harass, and persecute, in every conceivable way, the people who have made the desert a fruitful field and the wilderness a smiling and prosperous city, inasmuch that the "Mormon" people do not consider that they owe anybody any thanks for sympathy and help extended in making this part of the country what it is to-day, and they ask no odds of anybody in that regard. If they could have been starved out and so exterminated, they would have been starved out and so exterminated, when they first settled these mountain vales, for all that the United States Government or any government in the country would have done to prevent it, so far as one can judge from the facts of the past.

The "Mormon" children are not taught that the United States Government is "a creature of the devil, to be fought with fire and sword," nor anything of the kind. On the contrary, they are taught that this national federation was the result of inspiration from heaven, to a great degree. But bad men get power in the government sometimes. If not, why the determined opposition of the *Times* to many things which men high in the republican party and in the Federal government have done, we would like to know.

"The voice of Brigham * * must be obeyed above all other voices, even should obedience involve all the crimes known to the decalogue."

False again.
"Time has been when a Gentile dare not show his face in Utah after nightfall, and now the safety of the

Gentile depends only upon the knowledge that he cannot be murdered with impunity."

False again. We have never seen that time. Nor has anybody else.

"Withdraw the fear of retribution at the hands of the United States government, and the flow of blood would be greater than that which has made St. Bartholomew's Day memorable as the bloodiest in the calendar."

False again. Moreover, there is no "fear of retribution at the hands of the United States Government."

"The question is: How long is this community of polygamists and cut-throats to be tolerated? We are not prepared to say that the time has arrived when the Federal government should proceed to extreme measures, but we do say that the day is not far distant and that the Mormons themselves are hastening it. * * If the crisis does come there may be bloodshed, but the end is certain. A few shots, a few hanged traitors and America will be rid of the foulest spot now blackening her escutcheon."

"Community of polygamists and cut-throats" is mere rant. The Federal government can do what it pleases. As for the "Mormons," they are hastening no crisis, except that wherein peace and good will shall prevail among all men and righteousness cover the earth as the waters cover the mighty deep.

If a few shots and the hanging of a few traitors will rid America of the foulest blot that stains her, why is not the shooting and the hanging done, at once, that is, if justice demands it? Who is to blame for the delay?

In conclusion, we might ask if Col. Alex. K. McClure, the editor of the *Times*, was not treated courteously when he visited Utah. If he was, why does he rave so towards the Utah people now? They are no worse now than they were then. It is to be hoped they are a little better.

Local and Other Matters.

FROM FRIDAY'S DAILY, MAY 25.

More Horse Stealing.—On Wednesday night a thief stole a mare from M. England, of Tooele. The animal is branded J. E. joined, on the right thigh. The owner is in town, looking for it.

Decoration Day.—Herewith we publish the programme of proceedings for Decoration Day—

CITIZENS' PROGRAMME.

President of the Day—General Nathan Kimball.

Marshal—Colonel William M. Johns.

Chaplain—Rev. Walter M. Barrows.

Orators—General M. M. Bane, Col. Albert Hagan, General George R. Maxwell.

Poet—Dr. C. F. Winslow.

Recitation—Mrs. M. M. Bane.

Glee Club.

Aids to Marshal—Col. Wm. Nelson, Major A. K. Smith, Major James Anderson, Capt. D. Hutchinson.

The procession will form on East Temple Street at 10 o'clock a.m., on Wednesday, May 30th, the right resting on the corner of East Temple Street and Second South. The column will march up East Temple to First South; thence to West Temple; thence to Third South; thence to Fifth East, thence to South Temple, thence to Camp Douglas.

ORDER OF EXERCISES.

Prayer—Rev. W. M. Barrows.

Dirge—Composed by C. Lamar, 14th Infantry Band.

Oration—General M. M. Bane.

Music—National Brass Band.

Poem—Dr. C. F. Winslow.

Glee Club.

Oration—Colonel Albert Hagan.

Music—14th Infantry Band.

Recitation—Mrs. M. M. Bane.

Music—National Brass Band.

Oration—General Geo. R. Maxwell.

Music—14th Infantry Band.

Decoration of Graves.

All societies are requested to participate in the ceremonies of the day. They will please report to Colonel Wm. Nelson, chief aid, at Federal Court House (Wasatch Building) at 9 o'clock, May 30th.

Citizens and soldiers are cordially invited. WILLIAM M. JOHNS, Marshal.