

DESERET NEWS: WEEKLY.

TRUTH AND LIBERTY.

PRINTED AND PUBLISHED BY THE
DESERET NEWS COMPANY.

CHARLES W. PENROSE, EDITOR.

WEDNESDAY - OCTOBER 7, 1885

ANOTHER ABJECT SPECTACLE

ANOTHER case of recantation from religious and family obligations occurred in the Third District Court today. In this latest instance of moral cowardice John Daynes was the leading figure. His written statement, read to the Court, is a curiosity, and leaves nothing to be added to render his attitude abject in the completest sense.

Headmits having an opinion that polygamy is justifiable in the sight of God. Yet he enters into an agreement to throw off his family obligations with the full understanding that his action is outside the domain of divine justification and contrary to his own views.

The winding up of the presentation was a fitting climax to the spectacle of a man bearing the image of God and under a covenant to serve Him, crouching at the feet of a judge who has proclaimed his wives to be concubines, his marital relations adulterous, and their issue bastards. Taking Mr. Daynes' action apart from any philosophical word-covering, and it stands as an indisputable endorsement of the vile reflection.

One can only turn from such scenes with unutterable loathing and disgust. It is lamentable enough that the courts should put a premium upon servility, hypocrisy and cowardice, but much more pitiable that men can be found who are so abject as to snatch at an offer of clemency at such an enormous cost.

In order to conform to the new covenant that Mr. Daynes has entered into with the court, he is left with the alternative of discarding one or both of his wives. It is understood among his acquaintances that he purposes to make his legal wife the victim. This accounts for the question put to the Court by his attorney upon that point. The course of the Judge seemed to encourage him in his monstrous proposal. His honor should now cease his prating about the object of abolishing polygamy being to preserve the legal marital relation intact. He openly and flagrantly encourages a course the only effect of which must be to break it up. Now, if Mr. Daynes elects his plural wife to occupy the conjugal relationship with him, and he, having agreed to obey the law, what is the nature of the position the favored lady occupies from his own standpoint? And in what kind of a situation does it place him? He agrees to obey the law, which allows him to have but one wife. He claims one and lives and cohabits with her, and he has a legal wife living and undivorced. Surely marvelous and mazy are the ways of anti-"Mormon" judges, and dark are the devices of traitors to sacred obligations.

NO MIDDLE COURSE.

THE events of the past several months taken in connection with many others in the history of the human race, should teach the Latter-day Saints, such as have not learned the lesson already, that there is no safe middle course between right and wrong. The disastrous failures of those who have sought, in the present crisis, to make a bridge of their own souls, over a chasm too broad to be covered, except by a rupture and dismemberment of principle, should give pause to all who may contemplate emulating their unsuccessful examples.

These failures, much as the causes leading to them are to be deplored, should occasion no surprise. Such examples serve only to emphasize a truth and newly illustrate a principle, as old as Time and as immutable as the Rock of Ages. What is there in the Gospel, the great criterion of truth, which teaches a man that he can serve simultaneously two masters? that he can be for God and against Him at the same time; that he can make peace with the devil and accede to terms, however speciously worded, that will satisfy and call forth the plaudits of his minions, and still remain the friend of God and an uncompromising foe of unrighteousness?

Strange indeed that some calling themselves Latter-day Saints—God grant their numbers are few!—with the teachings of the past before their eyes, and the Holy Spirit presumably in their hearts, cannot see a proposition so plain as the one declaring that all who are not for the Lord are against Him; or seeing it, cannot convince themselves that God, in

saying this, meant exactly what He said, and that anything more or less than this cometh of evil. Why, even the circus rider knows that he cannot successfully ride at the same time two horses moving in opposite directions. But if he attempted it, the result would be no more disastrous in a physical way, than morally for a Latter-day Saint to try to plant himself squarely upon both sides of a question, involving honor and obedience to a law of God and to a law of man directly opposed to it, enacted for the sole purpose of its destruction.

It is idle to argue the wisdom or righteous policy of such a course. When oil and water can mix, without one or both of them losing their original properties, it will be time enough to talk about a "Mormon" being a non-"Mormon," even in part, but not before. Good and evil, heaven and hell, are not synonymous terms, neither is it possible to be altogether right and only a little in the wrong, at the same time. In one sense the chasm between the two is so broad that no bridge can span it; in another sense the division line is a hair so fine that to step over it from the right just one inch, is to be just one inch in the wrong.

What of Daniel the Prophet when forbidden, by a law almost as cruel as the Edmunds law, to pray to the God of his salvation. Could he have "come within the law," and still have continued to supplicate Jehovah? Could the Hebrew children have obeyed the tyrannical edict of Nebuchadnezzar and bowed themselves down before the golden image which he had set up, and still preserved themselves free in the sight of heaven from idolatry? Could our blessed Redeemer, the godlike her, of Gethsemane and Calvary, because of the cruel and ignominious fate before Him, and the exceeding sorrow of His refined and sensitive soul in contemplating it—Could even He have receded with honor from his position, recanted what he had spoken by the power of the Holy Ghost, and to save his life made an agreement with Pilate and the Jews that He would no longer proclaim Himself the Son of God, or teach the pure principles, despised though they were by the world, which He came to preach, practice and lay down His life for? Could the prophets, the reformers, the patriots—those who spilt their blood like water rather than relinquish one jot or tittle of their sacred convictions, have given way at the dicta of tyrants and bigots, and still kept their honor and integrity inviolate? And if they had given way, would we be here to enjoy the blessings which their valor bequeathed, and would their names have come down to us haloed with a glory which time cannot dim or the breath of calumny extinguish?

We have in mind the example of one of these heroes, brought face to face with the prospect, not of fine and imprisonment, but of death, for the sake of his religious convictions. Martin Luther at the diet of Worms! When this brave and resolute man was asked to recant what he believed was Bible truth, and sue for pardon at the feet of the pope and the powers ecclesiastical and militant of the Catholic world; standing alone in the midst of his enemies, surrounded by frowning faces and blood-thirsty hearts, not knowing that he would be allowed to issue thence alive, did he yield one inch of the ground he had taken? Did he cower or crawl before emperor, priest or noble, and to save his life make a bargain with the powers of evil and emissaries of Satan! No! Erect before the imperial tribunal, pale of face but undismayed at heart, sustained by the power of God and the rectitude of his own conscience, he exclaimed, with his hand across the open Bible, whose teachings he was asked to renounce: "Until convinced by reason and scripture, HERE I STAND! I CANNOT DO OTHERWISE; GOD HELP ME!"

These are the stalwarts of history; the beacon lights along the shores of Time. They are the examples which God has given in the past, for the emulation of the present and the future. If any are in doubt, and have not the Holy Spirit to teach them in what direction their duty lies, let them turn to these human guiding stars for inspiration. The light shed by such examples, with the great and infallible criterion of God's spirit, which burns unceasingly in the heart of every true and faithful Saint, will illumine duty's pathway throughout the darkest night, and cause it to shine brighter and brighter unto the perfect day.

CONSISTENTLY INCONSISTENT.

It scarcely needs a prefatory word of apology when the suggestion is made that reformers be consistent. A man or many men may labor never so earnestly, conscientiously and persistently in the cause of breaking down evil and establishing good, and be misunderstood, if not defeated, because of the lack of that all-important element of strict conformity to a well-defined programme, with partiality excluded, favoritism ignored, and the end sought kept rigidly in view. Those who claim the sponsorship of the so-called moral reformatory movement in Utah should survey the field carefully and measure the ground accurately with a steadfast determination to cultivate that which is good no matter where found, and eradicate all that is evil from whatever source it may come: stubble should be treated as stubble, wood as wood and hay as hay. This rule of

conduct would seem to have a specially binding force when the allegorical language which presents it is withdrawn and living facts and living people take its place. For instance: If John Doe steals his neighbor's ox, he commits the crime of grand larceny; if Richard Roe purloins another man's horse, he commits the same offense and should be punished in the same way. If those who have in hand the prosecution of such offenses desire in good faith to morally reform while physically punishing the culprits, no fault can properly be found with them for such desire, and if they succeed they are at once entitled to the designation of benefactors of their race; but if Doe is hunted down and made to expiate his crime while Roe, through whatever cause, is permitted to escape, the moral effect evolved from the captivity of the former takes unto itself wings and flies away with the immunity granted the latter—and with it goes the spurious claim of the moving powers to superior virtue and grander aims; selfishness, malfeasance and hypocrisy appear where they would fain have had us look for patriotism, ability and earnestness.

The subtleties and pretenses of the self-appointed censors of our people, always shallow and unreal, sometimes become so extremely tenuous that the dullest or most unwilling glance penetrates them. These people "boast they come but to enlarge our state, improve our thought and free us from the yoke of error," but it never seems to occur to them that the real crimes of others need vastly more attention in the accomplishment of such grand objects as those outlined, than do the alleged ones of the "Mormons;" and when it is considered that the former nearly always receive lighter treatment than do the latter, and are sometimes winked at if not entirely condoned, may we not well ask if the prime movers in the prevailing crusade are not dishonest in their purposes, unfair in their actions, selfish in their hopes, and hypocritical in their pretensions?

A case—one of many that might be cited—illustrative of the matter in hand, occurred in the District Court in this city on Tuesday last. One Robert Lowrie, otherwise known by the euphonious name of "Government Kid," was arrested last May and subsequently indicted on the charge of enticing two girls of Ogden to a house of prostitution in this city. The facts in that case showed that Lowrie married one of the girls (who were sisters), and having no money with which to pay the fare of the trio to Salt Lake, he tendered the services of the other sister for an evening to the D. & R. G. conductor as a consideration for the ride; the beauties of this transaction were enhanced and consummated in the civilized way, that is, the conductor accepted the proposition; on arrival here the girls were both taken to a brothel, where the married and the unmarried one mingled in the same filthy pool which the law goes around without coughing, and, after the affair had become so notorious as to create in itself a kind of pressure, the "Kid" was indicted in accordance with the facts herein presented. A more depraved wretch and a more conspicuous figure for outraged justice and insulted decency to become avenged upon, we have seldom heard of. He should have received the full penalty provided by law for his infamous crime, and to this end the best efforts of Messrs. Dickson and Varian should have been addressed, and then Judge Zane might have had an opportunity to render a disquisition on public morals at a time and under circumstances when good results and healthful influences would be felt. The two prosecutors, however, were singularly lukewarm from the first; they favored the defendant as far as favors could go and not create suspicion, by not pushing his case, creating and attempting to create no "sensation" over it, getting his bond, which was originally fixed at \$1,000—little enough in all conscience—down to \$500, and finally dismissing the case entirely, which Mr. Varian did at the time and place above stated. So that the vile wretch who deserved a term of years in the Penitentiary is, so far as the offense referred to is concerned, a free man—and yet he is absolutely guilty, and there is a law in our statute books to reach him:

"Section 1968 of the Compiled Laws of Utah reads as follows: 'Every person who inveigles or entices any female of previous chaste character, into any house of ill-fame, or of assignation, or elsewhere, for the purpose of prostitution; and every person who aids or assists in such abduction for such purpose; is punishable by imprisonment in the penitentiary not exceeding five years, or by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.'

The peculiar phase of the moral spasm which is just now convulsing the triumvirate previously spoken of, is that its rolling thunders are hushed, its lightning subdued and its faculties inert whenever a sympathizer in the workings of the new plan of regeneration for Utah happens to be detected. It is enough to make one exclaim, with Marc Antony, "Oh judgment, thou art fled to brutish beasts, and men have lost their reason."

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LOOK AHEAD.

It would be very gratifying if the young men and women of Utah could be made to realize the full measure of responsibility resting upon them, and how largely it will be increased later on. From those to whom much has been given, much will be expected, and we halt not a letter nor hesitate a second in saying that nowhere under the broad, blue canopy of heaven can be found a race of brighter-minded, stronger-limbed, cleaner-handed young men, or better-appearing, more intelligent young women, than have just passed or are just approaching the threshold of manhood and womanhood in Utah. Nature has withheld nothing, while the appliances of progress, the instructions of the experienced conditions and all the advantages growing out of better circumstances than their fathers and mothers enjoyed—all these are theirs, and how much more might or will be, depends entirely upon the use which each makes of his opportunities, the manner in which the facilities placed in the way are utilized. To this extent, then, each is the architect of his own fortune; for the foundation having been given, he has but to rear the structure upon it; and if one shall equal the other, the fabric will be as nearly perfect as any in whatever age of the world.

It is the fashioning of the work to the pattern given that creates the responsibility. Older heads may counsel, advise and instruct; more mature and better cultivated minds may enlighten; everything which parental care and affection can devise in the way of example and precept be offered; and nothing necessary to the attainment of the greatest and best results be withheld—still will it all be found not enough unless deep down in the heart, firmly entrenched in the mind and as thoroughly interwoven with the soul as though it were the woof and warp thereof, is a fixed determination to shun pernicious practices, avoid corrupting influences, and climb up and push on day after day.

But what proportion of those who are thus blessed by others are seeking to bless themselves? It would be very gratifying if we were able to say that it is greater than it is. One has only to walk a stone's throw from where this is being written to obtain ocular proof of the fact that the number of those going the other way is large enough to justify words of warning, but not yet, we trust, so fixed as to exclude all hope for the future—for "there is a future for every man who has the virtue to repent and the energy to atone." One of the most prominent reform lecturers of our time was once the most dissipated and depraved of mortals; he drank and caroused till the more respectable portion of his acquaintances shunned him, and hope, withering, fled from his household. He is now comparatively wealthy and famous, but what does he say of the time when he was not?—"I would cut off my right arm at the elbow to have that part of my record effaced." This shows that though the recollection of time, energy and money wasted is imperishable, none are so firmly wedded to the bad that honest purpose and determined effort cannot break the shackles which bind them to a galling, soul-destroying thralldom. "Be wise to-day," 'tis folly to defer;" to-morrow it may be too late.

WM. A. ROSSITER'S TRIAL.

GETTING A JURY—OPEN VENIRE ISSUED
—EXAMINING WITNESSES.

The case of the United States vs. Wm. A. Rossiter, charged with unlawful cohabitation with his wives, was taken up for trial in the Third District Court this morning.

The names of witnesses were called, and one, Wm. Crabtree, was reported absent. A messenger was sent for Mr. Crabtree, who came into court a few minutes later.

The prosecution announced that they were ready to proceed with the trial, and Mr. Rossiter, who had been arraigned, entered a plea of not guilty, and the work of obtaining a jury commenced.

E. H. Rodeback, Orson Johnson, Adolph Anderson, B. S. Young, R. G. Lambert, Geo. H. Snelgrove, Jno. N. Pike, J. H. Poulton, Francis Platt, R. S. Wells, W. C. Lyne and LeRoy Holt were called as jurors.

Judge Harkness, for the defense, examined the jurors, and all were passed, except Geo. H. Snelgrove, who had formed a fixed opinion, and was excused.

Mr. Varian, for the prosecution then began the work of purging the jury, so that none but "highly moral" anti-"Mormons" might be retained.

Messrs. Rodeback, Johnson, Lambert, Poulton, Platt, Wells and Holt believed it right for a man to have more than one wife at a time, and were excused.

John N. Pike declined to answer the question, and also retired.

B. S. Young believed it wrong to violate the law of the land; would find a verdict according to the evidence; believed that plural marriage was a divine command, but did not think it proper for a man to violate the law; considered it right for a man to have more wives than one if he believed the doctrine correct. Mr. Young was challenged and excused.

Adolph Anderson had been a member of the Church when a boy, but had severed his connection therewith; he did not believe it right for a man to have more than one wife, and was accepted.

W. A. Lyne also believed plural marriage wrong, and was passed, but was peremptorily challenged by the defense.

Adolph Anderson was then sworn, being the only juror secured out of the twelve called.

George Cramer, Geo. F. Price, Oscar H. Hardy, Jos. Derbidge, L. A. Scoville, J. W. Barbidge, O. D. Romney, Oscar Wilkin, J. H. Midgley, J. G. Labrun and B. F. Fitzgerald then took their places in the box, and were all passed by the defense.

Mr. Varian's religious belief test was then applied, and Messrs Cramer, Price, Barbidge, Romney, Wilkin, Midgley, Labrun and Fitzgerald, who believed in the divinity of the revelation on celestial marriage, were excused.

O. H. Hardy and Jos. Derbidge declined to answer as to their belief, and were excused.

L. A. Scoville, of Bingham, had the necessary qualifications, and was sworn.

Wm. Skews, R. C. McEwan and T. C. Armstrong were called. This exhausted the regular jury panel, with two jurors only having been obtained. A special venire, returnable at 2 o'clock this afternoon, of the following names, all that were in the box, was issued:

48 Wesley S. Trescott,	155 Wm. E. Jacob
108 Amos Gabbott,	102 H. A. Woolley,
143 Thomas Smith,	115 W. E. Blanning
4 J. A. Blythe,	141 C. T. Stevenson,
5 Robert Mulhall,	46 R. F. Turnbull,
157 L. B. Mattison,	104 L. D. Young.

At 2 o'clock this afternoon, W. E. Jacobs, Amos Gabbott, Henry A. Woolley, C. T. Stevenson, L. B. Mattison and L. D. Young were called. Robert Mulhall was delayed a short time, by the illness of his wife. This was all on whom summonses had been served.

R. C. McEwan and L. B. Mattison had formed an unqualified opinion and were excused. The others were passed by the defense.

Mr. Varian interrogated the jurors as to their belief in a man's having more than one wife, and Wm. Skews, T. C. Armstrong, W. E. Jacobs, C. T. Stevenson, Robert Mulhall and Amos Gabbott were passed.

Messrs. Woolley, and Young were excused for their belief.

Wm. Skews was peremptorily challenged by the defense.

Judge Zane reminded Mr. Varian that Mr. Gabbott had not been examined, and the juror was submitted to the prosecutor's catechism. He did not believe in plural marriage, and not much religious faith; was a member of the "Mormon" Church; accepted some doctrines of that Church, and rejected others; rejected plurality of wives; believed it was wrong because there was a law against it; did not know whether there was any revelation or not.

Mr. Gabbott was peremptorily challenged by the prosecution.

T. C. Armstrong, W. E. Jacobs, C. T. Stevenson and Robert Mulhall were sworn, making six jurors for the case.

The Court ordered an open venire for twelve names, and then took a recess for half an hour.

On the reassembling of court Joseph Foreman, Wm. McRae, Jas. P. Keat, James Anderson, J. F. Bradley and W. H. Yearian were called. Mr. Yearian was excused because of the necessity of his presence at his store, and Mr. Bradley was peremptorily challenged by the defense.

Walter Amy and George Mullett were next called and accepted, and all were sworn.

The jury now stands as follows:

Adolph Anderson,	W. E. Jacobs,
L. A. Scoville,	C. T. Stevenson,
T. C. Armstrong,	Robert Mulhall,
Jos. Foreman,	Wm. McRae,
Jas. P. Keat,	Jas. Anderson,
Walter Amy,	George Mullett.

The indictment was then read to the jury by the clerk, and the examination of witnesses for the prosecution commenced, Wm. Crabtree being the first called.

CORRESPONDENCE

A DENIAL.

PAYSON, Utah, Sept., 31st, 1885.

Editor Deseret News:

On the 18th inst. there appeared in the columns of the Salt Lake Tribune, what purported to be an interview, in which I was represented as expressing certain opinions in regard to the action of Bishop Sharp in pleading guilty to the charge of unlawful cohabitation, before the Third District Court. This alleged interview in the Tribune has done me great injustice, in that it was utterly untrue and incorrect. A reporter of that paper did solicit my views on the question, but his report was entirely inaccurate and wrong. Had I not been absent from home, and hence not known of this mischievous and false interview until now, I should have contradicted before.

WM. DOUGLASS.

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