

CAN'T COME IN.

Robert Sherwood's Application for Naturalization.

HE IS WILLING TO OBEY THE LAWS,

But Not Willing to Farm Out His Conscience.

HE ANSWERS QUESTIONS FAIRLY

BUT THE COURT HAS THE LAST SAY AND SAYS IT.

In the District Court for the Third Judicial District of the Territory of Utah.

APRIL TERM, 1887.

Hon. Henry P. Henderson, Presiding Judge.

Proceedings upon Application for Naturalization of Robert Sherwood.

SALT LAKE CITY, Utah.

Monday Afternoon, May 9, 1887.

The applicant was examined as follows by the Court:

Q.—Your name is Robert Sherwood?

A.—Yes, sir.

Q.—Is that your name that is mentioned in that paper?

A.—That is my name, sir, I wrote it there.

Q.—Did you make that declaration?

A.—Yes, sir.

Q.—And receive that paper?

A.—I did, sir; that is my initials—that is my handwriting, yes sir.

Q.—Before Mr. Sprague, clerk of the Supreme Court?

A.—Yes, sir.

R.—How long have you been in this country?

A.—I have been here nearly fourteen years.

Q.—Fourteen years?

A.—Yes, sir.

Q.—What country did you come from?

A.—Great Britain.

Q.—Well, which one?

A.—England.

Q.—From what part of England.

A.—Sussex.

Q.—Did you settle in this territory first?

A.—Yes, sir; I never stopped any place—came right here.

Q.—You can read and write the English language?

A.—Yes, sir.

Q.—You understand, I have no doubt, the difference between this government and the one you left?

A.—Yes, sir; I believe this is republican, and the one I left is monarchical.

Q.—Do you understand that citizenship in a republic is of more consequence to the government than it is in a monarchy?

A.—I do, yes; that is the reason I want to be naturalized.

Q.—Well, now, what reason is there why citizenship is of more account in a republic than it is in a monarchy—what one reason can you give why the government is more interested in its citizens, and in those who are citizens, than it would be in a monarchy? (No response.)

Q.—How do the highest officers in Great Britain get their offices?

A.—They get their offices by the vote, I believe.

Q.—In Great Britain—how does the Queen get her office?

A.—Well, I believe she gets her office by royalty.

Q.—By inheritance?

A.—By inheritance, yes.

Q.—How do the highest officers in this country get their offices?

A.—By election.

Q.—Then can't you see why that is one of the reasons—

A.—Yes, I didn't understand you first.

Q.—Why the government is more interested in a republic than in a monarchy?

A.—Yes, sir.

Q.—You understand the nature of the transaction which you ask to make here, that you seek to throw off all the allegiance that you owe the old government, and are undertaking to swear allegiance forever hereafter to this government?

A.—Yes, sir.

Q.—You have become a property owner, have you?

A.—Yes, sir.

Q.—You are a man of family?

A.—I have no children; I am a married man.

Q.—You are a married man. Do you know what polygamy is?

A.—I have heard about it.

Q.—What is it?

A.—Plurality of wives.

Q.—Plurality of wives. Do you believe in polygamy?

A.—Yes, sir, I do.

Q.—You believe in it as a principle?

A.—Yes, sir.

Q.—You belong to the Church I have no doubt?

A.—Yes, sir.

Q.—What degree of teachers or—

A.—I hold the office of an Elder.

Q.—What is the duty of an Elder in the Church?

A.—Well, the duty of an Elder is of course to preach when he is called upon.

Q.—Yes, preach when he is called upon; you know, do you, that the doctrine of polygamy is one of the doctrines of your Church?

A.—Yes, sir.

Q.—And that it is believed in and taught?

A.—Yes, sir.

Q.—As one of the doctrines of your Church? You, I have no doubt, believe in the revelation in relation of poly-

gamy, believe that that is a true and correct revelation?

A.—I believe it is correct, yes.

Q.—You know what the Edmunds law is?

A.—Yes, I have read it.

Q.—You understand about that; you have seen a good deal of discussion about that?

A.—Yes.

Q.—And know about the recent legislation that has been passed upon this subject?

A.—Yes, sir.

Q.—Do you feel, Mr. Sherwood, that you could take an oath now to forever obey the laws of the United States?

A.—Yes, sir.

Q.—Do you believe that you could take an oath that you would be refractory during all time, obey these laws?

A.—Yes, sir.

Q.—Against polygamy?

A.—Yes, sir.

Q.—Under all circumstances?

A.—I believe so.

Q.—Supposing that you were directed by the authorities of your church—it was claimed that it was a revelation to them that you should enter into polygamy, and you should be threatened with excommunication from the church unless you did enter into it, a year from now, what would you do under such circumstances?

A.—Well, I don't look at it that way exactly; I don't believe that they would ever—I have never known of anybody to get information in that way at all; I don't think—

Q.—Isn't it a doctrine?

A.—It is doubtful if it would ever come to me that way, because there is never an instance on record when it has come to an individual, to my knowledge.

Q.—Well, isn't it a doctrine of your Church that it may come to individual members of the Church?

A.—No, sir, it isn't binding on individuals; at all.

Q.—Is it the doctrine of your Church that a member may receive such a revelation?

A.—I understand it, in our Church, that it isn't binding on any individual to practice the principle; and I don't think that I could practice the principle; I haven't the use of language at the present time, but then it isn't the—anybody can go into it if they wish to, but it isn't binding on any one individually.

Q.—Isn't it a doctrine of your Church that you should obey the counsel of those in authority?

A.—Yes, sir.

Q.—Upon Church and temporal matters?

A.—Yes, sir.

Q.—And now, that being so, suppose you were advised by the official authorities of your Church upon that subject—suppose, in other words, Mr. Sherwood, now, to put it a little differently—that you should be directed by the official authorities of your Church to go over to Kaysville next Sabbath and hold a meeting, and to expound to your people over there the doctrine of polygamy, would you feel—

A.—(Interrupting)—I couldn't do it, for I don't understand the principle; I couldn't do it; I would have to answer that I am not capable of doing so.

Q.—Well, that you are not capable of doing so; suppose you were directed to go and do the best you could at it?

A.—Well, sir, I should refuse to go, because it is something that I have not—I am not capacitated for; I couldn't do it at all.

Q.—Well, can you say that hereafter you would not teach the doctrine of polygamy in obedience to counsel from the Church?

A.—No, I can't say that.

Q.—Well, you understand, of course, that that is against the law of the country?

A.—I understand that it is against the law of the country, but I intend to obey the laws and Constitution of this country.

Q.—Well, would you feel that you was obeying the laws and Constitution if you should advise anybody else to go into polygamy?

A.—I shouldn't advise anybody else to go into polygamy, and if anybody should counsel me, it is something that I should not do.

Q.—Something that you wouldn't do?

A.—Something that I wouldn't do.

Q.—You wouldn't advise them to go into polygamy?

A.—No, sir.

Q.—Suppose that a brother of your Church should come to you and say to you that he had a revelation upon that subject, or that the First Presidency, or any of the authorities of his Church had directed him that he ought to take another wife—

(A.—(Interrupting)) I should tell him that that was none of my business; I couldn't give him any instructions on it whatever; it would be impossible for me to give another man instructions on anything of that character; I should be jumping my authority entirely.

Q.—Well, now, Mr. Sherwood, how do you reconcile the ideas—you are an Elder in the Church, I believe you said?

A.—Yes, sir.

Q.—And it is your duty to preach when called upon?

A.—Yes, sir.

Q.—And you say that you believe in polygamy, and you say it is a doctrine of your church; how do you get along with the subject of polygamy?

A.—Because it isn't my duty to preach polygamy.

Q.—Well, it is your duty to preach all the doctrines of your Church, isn't it?

A.—Well, it is my duty to preach when called upon, but I am never called upon to speak on that principle at all.

Q.—You are never called upon to speak on that principle at all?

A.—No, sir.

Q.—Well, with the discussion that has been going on for ten years, isn't it agitated and discussed among your people?

A.—I have never held the office of Elder very long; I was first married about—I think about four years ago; I have never been called upon but once to preach.

The Court—Mr. Varian, would you ask this applicant any questions?

Q.—Do you feel, Mr. Sherwood, that when your position in the Church, and feeling as you do about the subject of polygamy—do you feel that you can promise now, under oath, that you would never obey the revelation in relation to polygamy?

A.—I promise, under oath, that I will obey the Constitution of the United States, and if ever I am called upon to perform any duty that will be for the benefit of this country, I am willing to do it.

Q.—That won't hardly do; not only the Constitution, but the laws of the country?

A.—Yes, I am willing to obey the laws of the country.

Q.—Well, you are willing, but can you say that you will always be willing, in view of your belief now—in view of the belief that you have upon the subject of polygamy, do you feel that you can say with confidence now, under oath, that you will obey the laws of the United States upon that subject? You understand that the government of the United States and its laws differ with your belief?

A.—I understand that.

Q.—You understand that, fully. Now, can you say, in view of that belief, and of that difference, can you say with confidence now that you can always obey the laws of the government as against that belief?

A.—I think I can, yes; I don't see why I should not.

Q.—You say that you can promise that under oath?

A.—I think so, yes, sir.

Q.—And you say that you can obey the Constitution of the United States. Why do you make a distinction between the Constitution and the laws?

A.—Well, I understand that the Constitution of the United States frames the laws.

Q.—It frames the laws, we know—laws have to be in accordance with the Constitution; but isn't it true that you hold to the belief that the Constitution of the United States does not prohibit polygamy?

A.—Well, I don't think the Constitution of the United States prohibits polygamy.

Q.—Well, isn't it also a part of your belief that it is unconstitutional to pass any laws to prohibit polygamy?

A.—I think likely it is unconstitutional to pass any laws to prohibit polygamy.

Q.—You think it is unconstitutional?

A.—Yes, sir; I think it could be proved so.

Q.—Do you think so still, after the Supreme Court of the United States has said it was not? Isn't it true that it is a part of your belief and of your people's, that they have a right to interpret that constitution themselves?

A.—Well, I have always understood any citizen taking the oath, that he swears allegiance to this country, he swears that he will obey the laws of this country, and I am willing to do that.

Q.—I know, you are willing to say that you will obey them; but what I want to know is, what you would say about the future in that respect, in view of the belief that you have upon the subject of polygamy; do you feel that you can say for the future, definitely and positively, that you will not obey the revelation in relation to polygamy?

A.—Well, I cannot say that, not for the future.

Q.—Well, that is what I—

A.—Because that is a serious question, to talk about the future; I don't know what I will do in ten years from now, I am sure; I have always obeyed the laws of the country, and I am doing the best I can every day, and it is an advantage to me to be a citizen of this government, that is the reason I applied for naturalization some years ago; and if the United States won't accept me as a citizen, I am very sorry for it.

Q.—Have you applied once?

A.—I applied when I got these first papers.

Q.—Yes, when you made your preliminary application?

A.—They are utterly useless to me without my other papers.

Q.—Yes, I have no doubt of that, Mr. Sherwood, but you know this transaction is being made purely for the future; it has no application to the past whatever.

A.—Well, what I do I do *bona fide*; I am not trying to palm myself off as an individual that isn't genuine.

Q.—No, I don't think you are, Mr. Sherwood; I think your answers are very frank and fair, as far as that is concerned. The only question is whether you are prepared to say, under oath, that hereafter you would not obey the revelation about polygamy?

A.—Well, I am unable to say whether I should break the laws of the United States or not; I couldn't say that.

The Court—I have felt that where a person says he believes in polygamy—believes it is right, and differs with the government upon that subject, that he ought to be able to say with some de-

gree of certainty that he will not obey that revelation about polygamy hereafter; it is the people who have entered into polygamy in the past that all this trouble is about, and I think the policy of the government is to prevent it in the future just as far as it is possible. Mr. Varian, do you want to ask any questions?

Mr. Varian—I understand that this gentleman cannot answer the question. There is no need of asking any more.

The Court—That is as I understand him now.

Q.—Is that it, that you wouldn't want to say now that you would not hereafter obey the revelation as to polygamy?

A.—I say it is my intention to obey the law; I don't know what I may do hereafter; I wouldn't want to say that.

Q.—You couldn't say for the future?

A.—No, I couldn't say for the future.

Q.—Well, I feel Mr. Sherwood—

A.—(Interrupting)—I don't think this should prohibit me rightly from my citizenship, and if there is any legal means of my obtaining my citizenship, if your honor would inform me, I would be glad to know it.

The Court—Well, Mr. Sherwood, that is a perfectly fair statement, and I am entirely willing that my position on this matter should be reviewed by anybody or in any way. I don't know what the proper mode of doing that would be. I hardly believe that an appeal would lie, but you can make—

Mr. Varian—Application to the Supreme Court next month.

The Court—Yes, you can make application to the Supreme Court; but not only that, you may refer this application and everything connected with it to the proper authorities, whoever they are, and see whether they agree with the rule that I have adopted here. That is the rule that I have adopted, and I feel that it is right. I feel that polygamy ought to be prevented for the future. It is difficult enough to take care of the past in polygamy, and it is hard enough, and I think it ought to be prevented in the future by every means possible. I think that you will have to be governed by the rule that I have adopted in other cases. Applicant—All right, sir.

THAT BAD CHARACTER AGAIN.

SPANISH FORK, Utah,
May 6th, 1887.

Editor Deseret News:

We have been favored with another visit on Saturday last by the above character. This time he appeared in a new style; he went to the house of Mr. Joseph Dudley of the above address, and told him he had traveled from Idaho, and was in search of a man by the name of Mr. Kremer, but as he was so tired and footsore, probably he would allow him to stay with him that night. Mr. Dudley, with his usual hospitality, readily consented and made him welcome. The next morning Mr. Kremer happened to pass by Mr. Dudley's house and was pointed out to the supposed stranger as the man he was in search of, whereupon he went out toward him, shook hands with him and acted as friends and acquaintances would, and drove toward Mr. Kremer's home. When he arrived thither he was accosted by a Mrs. Robbins and accused by her as being the same man the News described some short time ago as a bad character. Upon being so informed, he made the most violent threats, shook his fist in her face and told her he would shoot her, and there and then proceeded to try to carry his murderous assertion into effect, by running into Mrs. Kremer's bedroom and seizing a revolver from under the pillow for that purpose; Mrs. Kremer at once ran to her door, closed and secured it, while Mrs. Robbins, with her baby in her arms, had time to escape. Mr. Robbins was not at home at the time, but arrived the next morning, and when he was told of the affair he got his needle gun and went fully equipped to meet the spotter. The latter, however, had some clue as to Mr. Robbins' intentions, viz., to defend his wife's life, and made himself minus. The last that was seen of him he was en route for the railway depot as fast as his legs would carry him, casting a glance over his shoulder every few yards as he went. When the occurrence became generally known, a few of the neighbors went in search of him as far as the depot but he was not there nor to be found.

I would advise Mr. Spotter to attack a man the next time he feels the murderous spirit upon him, and leave innocent wives and babes alone; he ought to consider himself fortunate under the circumstances in making his escape. Probably he had no better retire and rest upon the laurels won than to try a similar game again, as we do not intend to see our wives and daughters murdered in our own homes. Let him take the hint and all may yet be well.

EDMUNDS LAW.

THE PROPER PLAN.

LOGAN, May 5, 1887.

Editor Deseret News:

Although a good deal has been said about the uniting of capital and labor in order to bring about home manufacture, and different plans have been proposed to carry it into effect, yet no one, it seems to me, has hit the mark. All the plans which have been suggested are such as are adopted by "the children of this world," who are wiser in their generation than the children of

light; but in this as in all other matters, we have a more sure word of prophecy which it will be well for us to give heed unto, as I believe it points out the only way in which this problem can be solved amongst the Latter-day Saints.

In the Doctrine and Covenants the Lord has given us a code of laws for the governing of an organization called the Order of Enoch, which I carried into practical operation, will settle this question more effectually and with more satisfaction than any human system can possibly do, but whether the time has come for it, or whether we as a people are prepared for this state of things or not, is not for me to say, and until we are we will have to adopt such substitutes as are best suited to the times and circumstances; in the meantime let us show as much of the spirit of agitation in this matter as the organ of the sore-heads does in its vindictive warfare against this people. The subject certainly deserves all our energy to keep it in the front until it shall take hold upon the hearts of the masses of the people and develop into an organization, that will be a blessing to all concerned.

That our present system or mode of doing business is ruinous in the extreme, no one will deny; but how shall we apply the remedy? How shall we turn the current of money which constantly is flowing out of the Territory and into the hands of those who are not of us, and many of them our bitter enemies, and make it spread itself amongst our brethren who are without employment, and thereby give them a chance to do something both for themselves and the kingdom of God?

Let us hear from the wise ones.

R. U. STICK.

CACHE VALLEY NOTES.

BRIGHT LOOKING—CROP PROSPECTS—LAND MATTERS, ETC.

LOGAN, May 10, 1887.

Cache Valley never looked more beautiful than at the present. Viewing the valley from the divide as the train enters, one beholds a beautiful panorama spread out before him the equal of which for quiet beauty it would be hard to find. The well cultivated fields covering its broad acres are dressed in all the varied tints of green, with here and there a fresh plowed field looking dark and bare by way of contrast and only tending to make the surroundings look more fresh. In most places more land than usual is being cultivated, and the refreshing rains that have visited the valley lately are inspiring the faithful granger with hopes of a bountiful harvest.

The grasshopper pest has not yet shown itself to any marked extent, though fears were entertained that it would play sad havoc with the crops in some places, as eggs were deposited last fall, yet it is to be hoped that the favorable weather will help on the crops to such perfection that the pests will not be able to injure them materially.

No business "booms" have yet reached us, but the mountain streams are beginning to "boom" from the effects of the warm weather we are now having.

In many of our towns improvements are going on which will tend to beautify and improve the places. The Wellsville Co-op is fitting up a large addition to its store in which the owners expect to carry a stock of millinery and fancy notions.

A great many men have gone from the settlements to work on the railroads and all who are at home have plenty to do.

On the south end of the valley the people are somewhat agitated over land matters, as the railroad lands adjoining the settlements are being offered for sale; the sale of these lands will greatly affect the settlements and if purchased by those who are not interested in these towns will greatly tend to retard their growth and prosperity. These matters should be taken hold of by the citizens unitedly and be handled with wisdom and