record of Mormon marriages, if there is one in this Territory, is a sealed book to all the world, it is undoubtedly true that an unusual number of plural marriages followed this event.

There are four Mormon Temples in Utah—at Salt Lake City, Manti, Logan City and St. George—only the last two being finished. These buildings have been erected at great cost, the expenditure on the Temple at Salt Lake City having reaceed nearly two million dollars; and although it was begun thirty-one years ago, it will require five years more to complete it. These temples are regarded by the Mormon people with extraordinary reverence. Their ordinary religious meetings are held in tabernacles and meeting-houses in all the cities and settlements, but the temples are intended for the celebration of certain ordinances, covenants and mysteries, among others baptism for the dead, and marriage ceremonies. These ordinances and ceremonies are supposed by the Mormons to have a peculiar efficacy and solemnity when they are celebrated in one of these temples (and it is not unlikely that the completing of the Logan City Temple has in some degree stimulated plural marriages).

Three-fourths or more of the Mormon adults, male and female, have never entered into the polygamic relation, yet every orthodox Mormon; every member "in good standing" in the Church, believes in polygamy as a divine revelation. This article of faith is as much an essential and substantial part of their creed as their belief in baptism, repentance for the forgiveness of sins and the like.

There is, however, in Utah and several of the States, a sect styling themselves the "Reorganized Church of Jesus Christ of Latter-day Saints," commonly called "Josephites," who discard polygamy as a spurious revelation, but who give full faith and credit to all the other so-called revelations given to the "Prophet Joseph." These "Josephites" are comparatively few in number in Utah, and are regarded by the orthodox church, headed by John Taylor, as scismatics, and but little better than apostates and infidels.

As an illustration of the "oneness" of faith among the Mormons in regard to polygamy, as well as their peculiar view of the "higher law,', we call attention to an important polygamy case recently tried here—"The United States vs. Rudger Clawson." The charge in the indictment was that on the 1st day of August, 1882, the defendant married Florence Ann Dinwoodey, with whom he is still living as his wife, from whom he has not been divorced, and that afterwards—on the 1st day of June, 1883—he married Lydia Spencer, The second count of the indictment charged unlawful cohabitation under the Edmunds Act. The members of this Commission were present and witnessed this trial. There were several features of the proceedings that made a strong impression on our minds. The jury had been selected under an act of Congress, applicable only to Utah, which would ordinarily result in the impanelling of a jury approximately composed of half mormons and half Gentiles, providing there were no challenges. But in this case, in pursuance of a provision of the "Edmunds Act," each juror was asked, "Do you believe it right for a man to have more than one living and undivorced wife at the same time?" Each and every Mormon in the box—a few with hesitation, but nearly all with promptness—answered "Yes, sir." All such men were successfully challenged for cause. The list of jurors drawn under the act of Congress for the year 1884 having been exhausted by these challenges, and there being less than twelve remaining in the box, an apen venire was issued—so the panel was completed, consisting of twelve all being non-Mormons.

This part of the proceedings affords strong confirmation of the opinion we have before expressed, that all orthodox Mormons believe polygamy to be right, and that it is an essential part of their creed. The jury having been sworn, a protracted trial resulted in a disagreement of the jury. On this trial, the second wife was not present as a witness. A new trial was begun on the succeeding day, at which the attendance of the second wife was secured. This resulted in a verdict of guilty on both counts of the indictment. The sentence was a fine of $800 and four years in the penitentiary. The trial of this case has caused a profound sensation throughout this Territory. The defendant and his two wives, together with many of the witnesses, belong to the better class of Mormon society. He is a young man, the son of a bishop. The father married—among other wives—two daughters of the late Brigham Young. It is a remarkable circumstance that although this polygamic marriage had been notorious in the community for many months; there was no direct evidence of the fact until it was disclosed by the second wife—who at first refused to testify, but finally consented after submitting to imprisonment in the penitentiary one night, for contempt of court. Incredible as it may appear, among all the witnesses examined, and there were many—including the immediate relatives of the parties, the President and other high officers of the Church, every one, except the last witness, the second wife—disclaimed all knowledge of the marriage. When we remember that Mormon plural marriages are solemnized only in the Temples and Endowment Houses, which are in charge of the high officers of the Church; that this particular marriage was proven, by admission of the second wife, to have occurred in this city, and that all the relatives of both parties to the marriage reside here and were in daily association with them, it is indeed strange that no one of them should have been able to testify as to the truth or falsity of this charge.

Before pronouncing judgment on the verdict, Judge Zane propounded the usual question, "Have you any further legal cause to show why judgment should not be pronounced against you?"

By the defendant—"Your honor, since the jury that recently sat on my case have seen proper to find a verdict of guilty, I have only this to say why judgment should not be pronounced against me: I may much regret that the laws of my country should be in conflict with the laws of God, but whenever they do, I shall invariably choose the latter. If I did not so express myself, I should feel myself unworthy of the cause that I represent. The Constitution of the United States expressly states that Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof. It cannot be denied that marriage, when attended and sanctioned by religious rites and ceremonies, is the establishment of religion. The law of 1862, and the Edmunds bill were expressly designed to operate against marriage, as practiced and believed in by the Latter-day Saints. They are, therefore, unconstitutional, and cannot command the same respect that a constitutional law would. That is all I desire to say, your Honor."

By the Court—"The Constitution of the United States, as construed by the Supreme Court, and by the authors of that instrument, does not protect any person in the practice of polygamy. While all men have a right to worship God according to the dictates of their own consciences, and to entertain any religious belief that their conscience, reason and judgment dictate, they have not the right to engage in a practice which the American people, through the laws of their country, declare to be unlawful and injurious to society."

This view, thus expressed by Clawson, is in conformity with the uniform sentiments of all the Mormon people. But while this is their creed, it is evident that many Mormons are reluctant to enter into the polygamic relation, and it would be strange if the trial and conviction of Rudger Clawson should not have a restraining influence upon the young Mormons. Before passing from this subject, we wish to bear testimony to the marked ability with which this cause was prosecuted by the U. S. District Attorney and his assistants.

Following this trial there was another conviction for polygamy in the case of Joseph H. Evans, on the evidence of his second wife, who was a willing witness against him. He was sentenced to a fine of $550 and imprisonment in the penitentiary for three and a half years.

In another case lately tried, in the same court—that of John Connelly—there was an acquittal upon evidence tending to show that the prosecution was barred by the statute of limitation.

We advert to these prosecutions for the purpose of giving information of current events in the Territory, as well as to give confirmation to a statement made in our report submitted on April 1884, as follows: "In regard to those provisions of the act of Congress relating to the punishment of the crime of polygamy (which appertains to the court of justice and not to this Commission), we beg leave to suggest that a vigorous enforcement of those provisions ought to go *par passu* with the execution of those provisions that come under the authority of this board; and we are assured that by vigorous and energetic action the guilty parties can be brought to justice in many cases."

We have more than once, in our former reports, suggested that as the government has to deal here with a people who are wonderfully superstitious and fanatically devoted to their system of religion, the public should not expect as the immediate result of the present laws of Congress, nor, indeed, of any legislation, however radical, the sudden overthrow of polygamy; and we repeat, that the most that can be predicated upon such legislation is that it will, if no step backward is taken, soon ameliorate the harder conditions of Mormonism and hasten the day for its final extinction. We have understood and believed that the Edmunds law, when enacted, was considered and offered by Congress as a tentative measure, so to speak, with the intention on their part of going further in the same direction if the information to be furnished by the agency appointed to administer the law, should warrant. Accordingly, from time to time, as we have been able to perfect our judgment as to the requirements of the case, we have, by reports to the President, advised additional legislation in the nature of amendments to the original act. Such recommended amendments have been embodied in Senate Bill No.—— which was passed by the Senate at its last session and is now pending in the House of Representatives. If these should pass into law they would greatly strengthen the hands both of the Commission and the courts. But the investigation and the experiences of the past year convince us that still other enactments are required, and, although none of those before submitted have received the final sanction of Congress, we venture, in addition thereto, to present the following: The number of elective officers in the Territory should be reduced and the number of officers appointable by the Governor should be correspondingly increased. It is not unlikely that finally the Federal Government will find it necessary to take into its own hands all civil power in this Territory. For the present, however, we advise only: First—That the offices of Territorial Auditor and Treasurer should be definitely defined by Congress as offices to be filled by appointment. And we may remark remark, in this connection, that although the organic act would seem to leave no doubt as to the appointable character of these officers and though the Commission has persistently refused to recognize the right of election under the law, and the local courts have sustained this view, still the incumbents of these offices at the present time are holding over from previous elections. We would recommend that in addition to the above, commissioners to locate university lands, probate jupges, county clerks, selectmen assessors and collectors, county superintendents of disschools, be made by act of Congress appointable by the Governor, and that all these, after the nomination of the Governor, shall require to be confirmed by a majority vote of the Commission before being commissioned.

The reason of this is obvious. The organic act now requires that all nominations by the Governor shall be confirmed by the Legislative Council. The Council is always the creature of the Mormon power; hence no suitable appointment can be secured. The Governor and the Commission acting respectively as nominating and confirming powers, would insure such appointments as would be effective in the efforts of the Federal government to overthrow polygamy. For the courts, after conferring with the judges and district attorney of the district, we would make the following recommendations:

First—That the provisions of the law of 1884 relative to juries and the mode of selection be revised, either by providing for a greater number of jurors, or by authorizing an *open venire* when the names in the box have been exhausted. A better provision, perhaps, would be one anthorizing an open venire in all cases prosecuted by the United States.

Second—The jnrisdiction of the several District Courts ought to be extended so as to give to each jurisdiction of all cases of polygamy, wherever in the Territory, the crime may have been committed.

Third—In United States cases the Territorial Courts should have been invested with a power co-extensive with that possessed by the United States Circuit and District Courts, in the several States, in matters of contempt and the punishment thereof.

Fourth—Prosecutions for polygamy should be exempted from the operation of the general limitation laws. Certainly, while the parties continue to live in polygamy, the statute should not run against the principal crime—polygamy.

Fifth—The process of subpœna, in all cases prosecuted by the United States, should run from the Territorial Courts into any other District of the United States.

Sixth—Provision should be made for the binding over of witnesses on the part of the Government, in all United States cases, to appear and testify at the trial.

Seventh—When a continuance is granted upon the motion of the defendant, provision should be made for the taking of depositions of witnesses on the part of the government, with opportunity given the defendant to be confronted with the witness or witnesses, at the taking of such deposition, and to cross-examine. Such depositions to be used at the trial in the event of the death of the witness, or in case of his or her absence from the Territory at the time of trial, or in the event that such witness concealed himself or herself so as to elude the process of subpœna.

Eighth—It should be made a penal offense for any woman to enter into the marriage relation with a man knowing him to have a wife living and undivorced. This should be coupled with a provision that in cases where the polygamous wife was called as a witness in any prosecution for polygamy against the husband, her testimony given in such case could not be used against her in any future prosecution against herself, with a like provision as to the testimony of the husband called as a witness in a prosecution against his polygamous wife.

For the Commission.

Very respectfully,

ALEX RAMSEY, Chairman.

SALT LAKE CITY, Nov. 18, 1884.

FERRY'S SEED ANNUAL.

Our government can no longer be said to be an experiment. One hundred years of successful existence have established it as a permanent institution. The magnificent conduct of the people during the late election proves their patriotism, and the wisdom of our Constitution. Our immense commercial interests also furnish convincing proof. We know of no better illustration of the success attending honorable and able business methods than the firm of D. M. Ferry & Co., Detroit, Mich., the leading seedsmen of this country. From small beginnings, thirty years ago, they have built up their mammoth business by strict adherence to their initial principle of furnishing only the best seeds obtainable. They offer to send their valuable "Annual" free to all who expect to buy seeds or bulbs.