

# DESERET NEWS:

## WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - - Oct. 28, 1874.

### THE CRUSADE—WHAT DO THEY WANT?

For a period of fifteen years the people of this Territory lived in the practice of plurality of wives, lived unmolested upon that point. They married and were given in marriage, and no man said, what do ye? They practiced their religion in conjugal matters, under the guarantees of the constitution and constitutional laws, and were in nowise hindered therein. Their enemies, however, were by no means satisfied with the peaceable condition of things, and consequently they worried the administration at Washington, after having deluded it with slander concerning the people here, until the Buchanan expedition was sent out, which, however, proved a complete failure, so far as fulfilling the expectations of those who were instrumental in having it sent was concerned. The sending of this army, however, and the immediately sequent events did not expressly interfere with the domestic relations of the people.

In 1860 the Republican platform contained a plank embodying a pledge virtually to abolish the "twin relics," slavery and polygamy. This formulation put the question in a position from which a direct issue might be expected. This plank and the election of Lincoln upon the platform of which it formed a part, so aggravated the Southern States that the civil war ensued, resulting in the humbling of the South, and the extinction of slavery.

From that time certain of the more rigid of the Republican party have considered that its work was only half done so long as one of the "relics" was extant, and consequently have lost no opportunity of advocating its extinction, and other characters, anxious chiefly for the spoils, have joined lustily in the cry. So far, however, they have only learned how not to do it. Every session of Congress, the members of that body have been pestered and besieged by self-appointed lobbyists over this question of disposing of the remaining twin.

In 1862 a bill passed Congress to punish and prevent the practice of bigamy and polygamy in the Territories of the United States, with a fine of \$500 and not exceeding five years imprisonment, in case of conviction. Previous to this there was no law making polygamy an offence, or in legal technicality a crime, though it is not a crime of itself, and is no crime at all, as that word is generally understood, but is simply an offence before the law because the law makes it so, just as baptism might be made an offence before the law by the enactment of a law forbidding it.

This law of 1862, as we understand, became a law without the signature of President Lincoln, and he never troubled himself about putting it into execution. Indeed one of the best traits in the official character of President Lincoln was that he never, we believe, made any attempt, or showed any disposition, while in office, to persecute or annoy the people of this Territory in any way, and we have heard that he expressed himself as having no intention to do any such thing. For which he is worthy of honor.

The law of 1862 is said now by Republicans to be only a dead letter, notwithstanding all that has been said in favor of it, and all that has been done to put it into execution. For although during the presidency of Lincoln and that of Johnson nothing particular was done to enforce it, yet most sessions of Congress of late years the subject has been agitated, and in some years strenuous efforts have been made to have a more oppressive law enacted than that of 1862. All these efforts failed until last

session, when the Poland bill was passed, a very unjust bill as it is, but not a tenth part so unjust as its originators and chief supporters intended it to be.

Before the passage of this last bill, attempts were made to prosecute for polygamy. When Grant went into the White House in 1869, the presidential animus appears to have changed and a determination to have sprung up in the breast of the Executive to push matters against the "Mormons." In 1870 Rev. Dr. Newman came here and ran a discussion with Elder Orson Pratt upon the subject of polygamy and the Bible, the Dr., according to the general verdict, coming off second best.

The same year a new set of U.S. officials were sent here, and they tried to do something wonderful. Most of them seemed to come here with the idea, firmly fixed, that the "Mormons" were an outrageous people, bad in almost every respect, and that the principal duty of the U. S. appointees was to repress the spirits and tendencies of the people and prosecute them in every way that could well be taken. In that year came our present Chief Justice, apparently not to act the ordinary impartial and unimpassioned role of a chief justice, but to be a sort of missionary judge whose great particular business was to break up polygamy and polygamic theocracy, which he understood to be the strength of the "Mormonic" fabric, religiously, politically and socially. This religio-political-judicial champion of the "relief" plank of the Republican platform, on his arrival here, set himself vigorously to work. He opened court, empanelled juries, and commenced to try cases. But, though he worked energetically, he worked not wisely nor too well. He created considerable excitement and was evidently about to do big things, wonderful things, in which the "Mormon" system and people were to be perfectly used up as a religious body, but Supreme Court decisions came like a wet blanket and dampened things considerably, and the effect was that the dead letter state prevailed once more. Nor did the Judge betray any anxiety to push things again until the Poland bill was passed. Now that is in operation he seems to have recovered something of his old vigor and determination to do something, in which he is backed by other U. S. officers and that non-descript conglomeration of entities, popularly called the "ring," and the crusade seems to have commenced afresh.

Now what do these virtuous crusaders want to do? What condition of things do they think they are likely to bring about? It must be taken for granted that they mean to annihilate that "twin relic." They seem to be beginning by indicting for lascivious cohabitation. But no impartial jury anywhere could for a moment entertain the idea that plural marriage was lascivious cohabitation. However, on whatever charge they may indict we must conclude that their aim is the punishment and prevention of polygamy, for that was the declared intent of the law of 1862. Now it is a vast deal easier to punish than it is to prevent, although prevention is better than cure, if it can be done. But when you have punished one man for doing what he believes to be right, it will by no means follow that another man will not go and do what he believes to be right, notwithstanding. So where will be the prevention, for in matters of conscience, men and women, and particularly religious men and women, are the most perverse beings on the earth?

The Judge recommended the punishment of a few of the leaders of the Church, and the letting of the rest of the people go. But will punishing half a dozen polygamists deter the multitude, who may be equally conscientious, from still abiding by the dictates of their consciences? Not very likely, and therefore the "relief" will flourish practically as much as ever. Besides, will not prosecuting a few of the leaders be regarded by the bulk of the Church as persecution? Of course it will. In fact, this arraignment of the "Mormon" people for their plural marriages is now generally regarded as more in the light of malignant persecution than of honest prosecution.

It may be said then that the whole of the people who are polygamists must be prosecuted. Very well. Let us see how such wholesale prosecution would work. It is said that there are not less than

100,000 "Mormons" in this Territory. These figures will do for us. Of these we may reckon 10,000 are adult males. It has been often stated that the proportion of polygamists in Utah is one in ten of the men. We have no objection to these figures for the purpose of our argument. Therefore let us assume for the time being and for the purpose in hand that there are a thousand men in Utah with more than one wife each. Let us further average them as having three wives each, and each wife as having three children. That will give us a grand total of 1,000 men, 3,000 women, and 9,000 children in the polygamic order of family union. We do not say these figures are exactly correct, we merely assume them for the sake of argument. The actual numerical facts might vary above or below them, but that matters little to our argument.

Here then are a thousand men to be tried for marriage, averaging 333 in each district court. The women and children of course will be let go. Of course all would be convicted, if the determination is to put the "relief" through, and therefore all the thousand must pay five hundred dollars each and go to the penitentiary for five years or less. The marshal and the warden would have to increase the accommodations of that building materially. The cost of keeping these 1000 prisoners would be not less than fifty cents each or \$500 per day. The expenses of the trial could hardly be less than \$100 each, or \$100,000 in all. The loss of the labor of these men to the Territory, at two dollars each, would be \$2,000 per day, or say \$500 each or \$500,000 for the whole year, making, for an average of four years each man, \$2,000,000. That is a heap of means to be thrown away in one Territory upon that "relief" plank. Then during all these four years, and the time occupied in trying the thousand, another thousand would be growing up and marrying wives and preparing to be fined and put in the penitentiary.

These thousand men would be the most enterprising and the best men in the community, for nobody but enterprising and good, deserving men would be very likely to be willing to take care of and do the handsome to so many wives and their children. Think how the forcible abstraction of so many of the principal men of the community would break up and destroy the business of the community, and induce poverty among the remaining part of the population. Then how are the three thousand husbandless women and the nine thousand fatherless children to be supported? They could not be left to starve. Christendom would cry shame on that. They could hardly support themselves in any kind of a decent manner. The property of the husbands and fathers would be all torn to pieces and sold to pay the \$500 fine. Then what must the women and children do, or what must be done with them?

Women will bear much, but they will cry about it when it wears heavily upon them. Children will cry too. There, then, the courts would have around them 3,000 crying women and 9,000 crying children, and what would the courts say to all that? They would soon get tired of hearing that music. But this is the condition of things which the courts and the "ring" may reasonably expect long before the "relief" is abolished. How do they like the picture? Are they ready to face the music in this fashion?

### OFFICIAL IMPARTIALITY.

"When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn."

The righteous are those who do that which is just and right, and in no men is righteousness more desirable, or capable of carrying a stronger and wider influence and of doing more good than in those who are placed in distinguished positions of authority and power over their fellowmen. Again, in no men does righteousness shine as a brighter jewel, or is it of more consequence, than in those who occupy the judgment seat over their fellowmen, for such characters have the power to make what should be

the temple of justice the temple of injustice, and to introduce partiality and favor where impartiality and even-handed fairness to all should be conspicuously manifest.

A man may be partial and unjust and practically unrighteous from inherent viciousness, wickedness, and corruption of character, or from the warping of his mind and the consequent one-sidedness of his actions by powerful prejudices which ought to be carefully and rigidly excluded from his thoughts and prevented from influencing his acts. In either of these cases with men of authority, the virtual effect is the rule of wickedness, and the people thereby have cause to mourn. The people of this Territory have suffered much and hence had much reason to complain because of the evil effects of injustice occasioned by both sheer wickedness and injustice from prejudice in those who have been sent here and endowed with more or less authority, and especially some of those wielding the judicial power, where uprightness and impartiality ought to be signally manifest.

Upon the one-sidedness apparent in the inaugural charge to the present grand jury in this district, we have already adverted at some length. The special charge to the same body the other day, concerning matter republished from a western paper by the *Herald* of this city, we consider open also to serious objections. Of the merits of the case as between his honor and the *Herald*, we have nothing to say, his honor having taken the matter into court and put it into the hands of the jury, with instructions for their positive action thereupon, one way or the other. But upon the fact of his honor having done this, and upon some other things which he has not done, so far as we have learned, we may say a few words.

His honor's action in this case induces the propositional reflection that it is the duty of a judge to take cognizance of what, unsupported, may be considered libelous matter in newspapers or other current publications, and refer it to the grand jury for their consideration and action.

If this proposition be conceded, which, considering his honor's action, we must take for granted, these consequent questions arise—

1. Is it his duty to choose one instance of this kind for such reference, and leave others, generally considered of a far more flagrant character, unnoticed?

2. Is it an evidence of impartiality for that single instance so noticed to be one in which he himself is immediately and individually concerned, when the believed to be more flagrant instances unnoticed are instances wherein fully as prominent members of the community are concerned?

3. Is it an evidence of impartiality when a journal not in the interest of the party with which his honor is understood to be strongly affiliated is pitched upon for this ostentatious judicial notice, and the other and generally believed to be far worse unnoticed instances are connected with a journal which is held to be the organ of the party with which his honor is generally believed to be strongly affiliated, are left wholly unnoticed by him in a similar public manner?

4. In short, can his honor's action in this connection be reasonably considered an evidence of impartiality?

In reference to this last question, we consider his honor's action to be extremely and conspicuously partial and consequently unjust.

The grand jury has in charge the instance in which his honor is personally concerned, and they may indict or may not, and if they should indict the *Herald* or his honor, the petit jury may convict or may not. But if it was necessary for his honor to bring before the Court a journal, not in his party, in such a conspicuous manner in regard to possible libel in which he himself is concerned, is it not far more imperative upon him to bring the organ of what is understood to be his own party before the court in an equally conspicuous manner, when it is generally believed that the organ of that party has been guilty of libels of the grossest and vilest possible character against some of the most prominent and most highly and most widely respected members of the community? If his honor does not do this, can

he expect any intelligent and candid men to consider him as a fair-minded, upright, impartial judge? That is a question we should like to see satisfactorily answered, but we can't do it to his credit.

### REMARKS

BY  
PRESIDENT GEORGE A. SMITH,  
DELIVERED

At the Semi-Annual Conference of the Church of Jesus Christ of Latter-day Saints, in the New Tabernacle, Salt Lake City, Tuesday Morning, October 6th, 1874.

REPORTED BY DAVID W. EVANS.

The present occasion, a semi-annual conference, is one which, in the history that we are making, is marked with more than ordinary importance. I always feel thankful to be permitted to meet the faces and greet the countenances of the brethren and sisters from the different parts of the Territory and elsewhere who assemble at these conferences; and I feel it important that, in doing so, we should lay aside the ordinary business transactions of life, and try and compare notes with ourselves as to our actual progress in the things of the kingdom. We have received the first principles of the gospel, and we have started in their observance; and in doing so we have become obligated by our personal agreements, and covenants in the waters of baptism, and in the ordinances which pertain to the gospel, to live in accordance with those principles which are revealed. In pursuing our daily avocations we become mixed up, more or less, with the world; we are called to battle with the world, and we have exhibitions from time to time of the weaknesses of human nature. I remember very well in the days of Kirtland, hearing men testify that they knew this was the work of God, and that they had seen visions of the armies of heaven, and the horsemen thereof, as did Gahazi, the servant of the Prophet, and then, in consequence of the failure of a bank, or because some business transaction did not come out in accordance with their expectations or desires, they would apostatize and come to the conclusion that they never knew anything about it, and become infidels. This shows the weakness to which some individuals have been subject. I also remember, in the great apostacy which took place in Kirtland, that those who apostatized considered that all the talent of the Church had left it, and yet the work rolled right along, and so far as they were concerned, they were never missed, and were soon forgotten, and nobody could tell where they went to. I have occasionally met them twenty or thirty years afterwards, and could hardly tell where they dropped out, their disappearance made no ripple. The facts are, brethren, that the work of the Lord does not depend upon us. If we go into darkness, if we let our hearts be filled with covetousness or corruption, or give way to licentiousness, drunkenness, Sabbath-breaking, unbelief, or any crime that corrodes our system or organization, so that our tabernacles become unfit for the Holy Spirit to dwell in it will withdraw from us, and the light that is in us becomes darkened, and that darkness is so great that we grope as a blind man and wander hither and thither, and those who suffer themselves to be led by these blind men fall into the ditch with them, but the work rolls right along.

Now, we assemble here, and we want to review our conduct and our characters before the Lord. It is one of the weaknesses of human nature to sit in judgment on others, but on the present occasion we should bring ourselves to account, one and all, and determine whether we are living in accordance with the principles of the holy gospel that we have received. I recollect hearing once, that Satan had invented for men a certain kind of leather spectacles which, when a man looked at his own sins, made them look very small, and when he looked at his own righteous acts made them look very large; when he looked at his neighbor's sins they seemed very large, and when he looked at his neighbor's righteous acts they appeared very small. Spectacles of this kind should be avoided, and we should be very careful when we are examining ourselves that we do not get them on, as well as when we examine our neighbors.

The first step then in relation to the business of this Conference is to preach the principles of repentance and reformation. We should question ourselves and determine whether we have suffered ourselves, with the cares of the world, the deceitfulness of riches, the desire of gain, or from any other cause, to become darkened in our minds. There are many false spirits gone out into the world, and when Joseph Smith communicated the keys of the priesthood to the servants of the Lord, he gave them the power to try these spirits, and this power was given to the Church, and no man need be led astray only as he suffers himself to lose the Holy Spirit, which is the result of sin, wickedness, neglect or transgression.

In addition to this general reformation which we wish to impress upon the minds of our brethren and sisters at the opening of the Conference, we want to take such steps as will be for the temporal and spiritual welfare of the Saints. The changes which have transpired in the world show us how uncertain a tenure our business arrangements are placed upon. From the time that the revelation was given to the Saints, commanding them to let the tenuity of their garments be the workman's garment of their own hands to the present time, that doctrine has been preached, and yet,