

"CONDEMNATION" AND DEPLOREMENT OF SEXUAL SINS.

The construction set up by the Prosecuting Attorney and sustained by Judge Zane regarding the intent of the third section of the Edmund's law, is exceedingly rich. They have established the precedent that it has no relation to sexual commerce. It merely aims at the punishment of men who 'hold out' to the world more than one woman as their wives. "Holding out" was the term used by the "counsel for the government." It is not strikingly poetical, neither is it overwhelmingly legal. One of the arguments used in support of this construction, instituted for the benefit and protection of the lewd and libidinous, was that had this section of the law been aimed against sexual commerce, it would have so stated. It may be held with a much greater show of reason, that had it been simply directed against the "holding out" to the world by a man of more than one woman as his wives, it would also so have asserted. We will now introduce the section in question:

"That if any male person in a Territory or other place over which the United States has exclusive jurisdiction, hereafter cohabits with more than one woman, he shall be deemed guilty of misdemeanor, and on conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment of not more than six months, or by both said punishments, in the discretion of the court."

Surely no person is such an egregious fool as to hold that cohabitation with more than one woman cannot be committed without an admission of marriage between the parties. The ceremony or claim of marriage is not an essential ingredient, and therefore there can be but one reason for the late movement of the crusaders. It is to surround their own reeking rottenness with a wall of safety, that non-"Mormons" may continue to revel in the filth of corruption with perfect immunity from the consequences of the law.

A higher or more truthful compliment could not be paid to any community than was tendered the Latter-day Saints by the Prosecuting Attorney in his argument favoring the punishment of the pure and allowing the libertine and adulterer to go scot free. In his plea in behalf of the brutal violators of sexual chastity, and the revelers in the domain of lust and lasciviousness, he said:

"It was a matter of history that the Mormons did not cohabit together, in the sense as used by the other side, without a form of marriage, and it was alone this form of marriage and the practice under it, and not sexual sins, that Congress was legislating against. They knew that those sins are not upheld in Utah, but are condemned by the Mormons and deplored by the Gentiles."

This was an admission of the superior morality of the Latter-day Saints that is all the stronger as it came from the lips of an intense partisan and bitter and relentless opponent of the community. They enter into conjugal engagements from pure and devotional motives, and not only does their religious profession enjoin that they keep their sexual relations with absolute strictness inside the marital bonds, but within that sacred circle to adhere strictly to the laws of nature and of God, avoiding every form of debasement. When there are departures from this rule it is because the requirements of "Mormonism" have been overstepped or ignored. But Mr. Dickson might have found a milder word than "deplored," when defining the position of the Gentiles; or he might have more properly expressed it by one of an almost opposite meaning. Without speaking of the non-"Mormon" population as a whole, but of a proportion of that class of the community, Mr. Dickson within it, we are safe in saying that they have encouraged those sins which the Saints have "condemned," and which the Gentiles are said to deplore. Indeed the gentleman named was—in the argument he was making, in claiming immunity from the law's inflictions for the adulterous debauchee and advocating that all its force should be hurled against those who by precept and example, "condemned" sexual sins—giving aid and encouragement to the corrupt scoundrels who can only be properly designated as male prostitutes.

The prosecution and court were a unit on the subject. In fact the latter's ruling on the point smacked so strongly of Mr. Dickson's delineation that it had the appearance largely of a simple rehash of his views, even to the awkward "holding out" expression, which stands out throughout with considerable prominence. But the Court is entitled to credit for every symptom of magnanimity it exhibits. This is all the more needful on account of the meagre character of the manifestation in that line. It should not be forgotten that although Judge Zane, from the mighty summit upon which he sits, has declared that the law, according to his construction, forbids a man from "holding out" more women than one to the world as his wives, he has not yet issued his fiat against him "holding out" his children. But how

soon this privilege of the "Mormon" parent will be swept away by the irresistible legal and judicial avalanche is scarcely within the ken of mortals.

According to Zane, Dickson, Varian and Company, the nation must be sweating great drops of something or other. Its moral sense has been so severely shocked that the centre as well as the circumference of the commonwealth must be seriously affected. It has been scandalized by the frightful iniquity of the monstrous "Mormons," some of whom, in accordance with their religious faith, have married more than one woman and have been "holding them out" to the world as their wives, honoring and caring for them and their children. No wonder there should be a social convulsion throughout the national fabric. Besides all this, the "Mormons" have looked upon and "condemned" the doings of the lecher, the libertine, the adulterer and the moral pest house, to be found in every non-"Mormon" nook and corner of the land, while the Gentiles mildly "deplore" this rottenness, the stroke of which is an ineffable abomination in the nostrils of an offended God. The cry has gone forth from the confines of the U. S. Courts of Utah that vengeance must be visited upon those who favor social, moral and domestic purity and "condemn" all tendencies to rottenness. Henceforward, as largely heretofore, to accuse them is to convict. The whole judicial machinery must be engaged in their prosecution, trials turned into mere mockeries, and packed juries have their verdicts incorporated in the charges delivered to them. The moral sense of the nation, which has been so frightfully outraged must be avenged, and the national wrath must fall upon the devoted heads of those who have had the temerity to "condemn" moral corruption and have sought to stem its overwhelming tide.

AN ABJECT SPECTACLE.

The spectacle presented yesterday morning in the Third District Court, connected with the case against Claudius V. Spencer, was exceedingly repulsive. The piteous pleading for judicial clemency, as exhibited in the full report of the proceeding, has had a sickening effect upon the Latter-day Saints. The same result obtains more or less strongly outside of the "Mormon" community.

There should always be a hesitancy, however, in hurling unqualified condemnation at people who are forced into a trying and unfortunate condition. The gentleman referred to should have the full credit of any mitigating circumstances that may exist. If there be any apologetic phase that can be applied on his behalf, he should have its unstinted benefit. The fact that his age is somewhat advanced, that his financial position is not all that could be desired, and that his health is not robust may be appropriately named in this connection. In reference to the latter it may be here stated that Mr. Spencer himself has intimated that were he to go to prison it would result in his death.

Without yet passing to the point of how much these facts weigh, in the justification of Mr. Spencer's humiliating conduct before the court, it may be well to say that the action that placed him in his position of yesterday was cruel, inhuman, brutal, barbarous. Those by whose instrumentality it was brought about possess the outward semblance of men, but the inward condition of demons. Under a hypocritical pretense of maintaining the majesty of the law, they use a little brief authority, of which they will in due time be stripped, as an engine of oppression by which to crush, humiliate and destroy the helpless. Upon their conduct is impressed even the stamp of murder in what might be termed its milder phase, if such an expression be proper. Already it is generally understood that one aged and infirm citizen has been hurried into eternity by their damnable doings, but even the evidence of causing premature death does not seem to deter them in their career of infamy.

But returning to the attitude assumed by Mr. Spencer, and the figure which any mitigating circumstances cut in his case—what did he do yesterday? He renounced his sacred and religious obligation to recognize as wives those whom he covenanted to retain in that capacity for time and all eternity. He inexcusably degraded one who was taken by him professedly at least if not otherwise, for better or for worse, to love, cherish and protect in the capacity of wife and in no other position. He debased her from what ought to have been a proud position, dearer than any other to the heart of every true woman, and placed her in the inferior office of a common menial, taking his statement as correct. Yet this lady bears the reputation of being noble and exemplary in every respect, and as the climax of the situation, his own offspring have been insulted by this public and asserted private indignity heaped upon their mother. Finally the community with which Mr. Spencer has been so long connected are scandalized by the course he has pursued at a supreme moment when he had an opportunity of exhibiting his consistency by maintaining a show of harmony between his profession and practise. Such instances of recreancy to sacred obligations lead inevitably to one of three

conclusions. They are the outgrowth of hypocrisy, cowardice or both. And that absence of valor which causes an individual to secure his own safety at the sacrifice of others is of the most loathsome type, whose character is further stamped with the seal of unmanliness by an abject, crouching attitude before arrogant usurpers of tyrannical authority.

While we regret, nay, unqualifiedly detest the conduct of Mr. Spencer, it is not accompanied by any unkind feeling toward him personally. We use his line of conduct in the form of an example which is the most ignoble that could be emulated under the circumstances. To the Latter-day Saints we say: "Choose ye this day whom ye will serve." Fear not man, nor what he can do, but stand firm in your allegiance to your Father in heaven. When you are in peril, remember the words of your Savior and Redeemer:

"And fear not them which kill the body, but are not able to kill the soul; but rather fear him which is able to destroy both soul and body in hell."

Are not two sparrows sold for a farthing? and one of them shall not fall on the ground without your Father.

But the very hairs of your head are all numbered.

Fear ye not, therefore: ye are of more value than many sparrows.

Whosoever, therefore, shall confess me before men, him will I confess also before my Father which is in heaven.

But whosoever shall deny me before men, him will I also deny before my Father which is in heaven.

And he that taketh not his cross, and followeth after me, is not worthy of me.

He that findeth his life shall lose it; and he that loseth his life for my sake shall find it."

Truer or more fitting words were never spoken in regard to the present situation than those expressed by a correspondent of yesterday, and that they may be more deeply impressed upon the minds of the people we reproduce them here as apropos:

Looking at this attack upon us from this standpoint I can truthfully say, menaced though I may be by it, that I am greatly pleased that something has occurred to bring to light the weak and the wavering and hypocrites. I have had some experience in this Church, and I never saw the time when there was a better opportunity for the faithful to reap the fruits of their faithfulness; for the unfaithful to exhibit by their conduct the manner of lives they have led. The faithful, humble, prayerful Latter-day Saint, who has lived in secret as devotedly to his religion as he has in public, is now enjoying the presence of the Spirit of God. The men who have been careless, who have loved the world, have neglected their duties, have been Latter-day Saints in name only, now exhibit by their trembling fears the results of their neglect.

EXPRESSIONS FROM THE PEOPLE.

HISTORY REPEATING ITSELF.

Never was there a truer saying than that

HISTORY REPEATS ITSELF.

nor a more striking illustration than that afforded by the history of the Church of Jesus Christ of Latter-day Saints, and the experience of the pilgrim founders of this great government.

The present system of arbitrary rule in this and other Territories is so similar to that established by James II., which finally caused such an insurrection throughout the American colonies, that we may well claim that history is repeating itself at the present day. We read of those who were then in power resorting to the most cruel oppression, and at a time when the colonists were in a destitute and starving condition.

Men were arrested without warrant of law, and when, as prisoners they arose in court to plead the privileges of the great English Charter, which had "stood unquestioned for four hundred and fifty years," they were told that the "great charter was not made for the

PERVERSE PEOPLE OF AMERICA."

One Dudley, who held the office of chief justice, was in the habit of saying to his packed juries at the close of each trial: "Now worthy gentlemen, we expect a good verdict from you to-day;" and the verdicts were rendered accordingly. The most cruel despotism was extended from one colony to another till their civil rights were completely overthrown. But the dominion of the tyrant ended suddenly, and he was driven from his throne and kingdom, when the "entire system of arbitrary rule which that monarch had established fell with a crash." So will it be with all other powers that undertake to suppress the innocent to accomplish their own selfish and unholy ends. Looking over their history we find so much that is similar to our own, it is calculated to keep it fresh in our memories.

OUR PIONEERS

may well be compared to those hardy souls who explored the solitary forests, streams, and mountains, subdued the wild savage; and founded the first colonies on the sterile soil of the New England States, where it took so many years of hard and steady toil with the very strictest economy to be able to live. A home in those bleak and snowy mountains—a desolate and lonely country as it was, among the cruel

savages and wild beasts, they felt would be a happy one "if only freedom was written on the threshold."

Hope of freedom from every species of thralldom was the bright vision which buoyed them up during their long and dreary year of toil and suffering.

From my earliest remembrance I learned to love and revere the names of those men (though they were deemed wicked and perverse rebels) as a noble, intelligent, God-fearing community of "sober habits, frugal lives, and lofty purposes," who for conscience sake left their comfortable homes and became exiles to escape the tyranny which they had suffered so long in their native land. And yet how many we now see of their descendants, professing the greatest regard for their noble sires, and boasting of their Puritan blood, so filled with vanity and conceit as to look with scorn upon the honest laborer, and those who are guilty of following the frugal and time-honored customs of their progenitors. In some things, however, they are true to their lineage. The Puritans were not perfect, and their descendants, while doffing their virtues, seem determined to

PERPETUATE THEIR ERRORS.

The same bigoted and tyrannical spirit under which the Puritans had long suffered, was manifested by them in the cruel and disgraceful hanging, torturing and burning of men, women, and children, at Salem, for the alleged sin of witchcraft, and since then the most outrageous cruelties have been practised upon the "Mormons" by men calling themselves "Christians," many of them of Puritan descent, living in what is termed the most enlightened age of the world. What is it in their natures that prompts them to thus oppress and trample upon the weak?

I was one of the little colony which had to flee from State to State to escape the

RUTHLESS HAND OF PERSECUTION.

Many of our people were cruelly whipped and massacred in the most brutal manner. Though they begged for quarter they were shot down and savagely mutilated. These cruelties were practiced on the old, the middle-aged and the youth, even while journeying peacefully to their destination. They were literally butchered in cold blood. Others endured untold sufferings in being driven from the States of Missouri and Illinois. When the Prophet Joseph and others appealed to President Van Buren for a redress of those wrongs, in his benevolence he answered, "Gentlemen, your cause is just, but I can do nothing for you." And this was in America, a boasted land of freedom and equal rights, whose soil is fertilized with the blood of victims slain to satiate those self-righteous beings who traffic in men's souls, persecute free-born Americans for their religious views, and who, having murdered their leaders, drove them from their midst to seek an asylum among the wild men and prowling beasts of the wilderness.

Who of this generation but the Latter-day Saints can furnish such proofs of faith in the Almighty, such

LONGSUFFERING AND FORBEARANCE.

even singing songs of thanksgiving at the thought that there was a land to which they could go, where they could at least find rest and enjoy that boon of liberty which was denied them on freedom's soil; where their right to worship God in their own way would not be questioned, and their foes could no longer molest or make them afraid?

The leaders and the greater portion of those who sought refuge in the Rocky Mountains were bound by a thousand ties to the men and women who won for us our independence. They could trace their ancestry back to those heroic Pilgrims who landed on Plymouth Rock, and took the first step towards founding a free and independent nation. The same spirit was manifested by this people when bidding adieu to the United States, after having

APPEALED IN VAIN

to the President and the Governors to use their influence to prevent the "extermination of twenty thousand native-born American citizens," till they could be removed to some remote spot on the Pacific Coast.

Can this nation produce another people who would submit so patiently, and manifest such a God-fearing spirit the same as that which characterized and sustained the fathers of our country in the darkest hours of their experience? Can they prove that we have not been an honest, prudent, and withal a loyal people? No; even in the time of our greatest distress, when our country demanded five hundred soldiers from the camps of Israel, they were immediately picked from the young and strongest men, from every company, and sent to fight for the nation that had turned us out to perish, to win anew, if possible the natural rights bequeathed to us by our Fathers, who shed their blood for liberty, that they might hand the same down, as a lasting legacy to their children and their children's children.

But all was apparently in vain. The hearts of our rulers were still like adamant. Yes, in spite of this sacrifice and loyalty, and the testimony of travelers to the honesty, intelligence and sincerity of purpose, as well as the virtue, industry and energy of this people, who had made habitable a barren wilderness,

THE HAND OF THE OPPRESSOR

was not stayed; but followed even into this far off wilderness. Our ban-

ishment they had supposed to be the death-knell of our expiring hopes; but to their disappointment and chagrin, they found "the blood of the martyrs was still the seed of the church," and that we were like the mustard stock, the more it was disturbed, the farther its seed would be scattered.

HELEN MAR WHITNEY.

April 27th.

A VOICE FROM ABROAD.

QUESTIONS CONNECTED WITH THE ANTI-"MORMON" CRUSADE AND OTHER SUBJECTS INTELLIGENTLY DISCUSSED.

LONDON, England,

April 16, 1885.

The storm that has been raging in Utah has had no effect in this part of the world. The sound thereof does not appear to have reached the shores of Great Britain. These unlawful doings of attorneys and marshals would scarcely be comprehended in this land of law and liberty. In England the adage, "Every man's house is his castle," is something more than a myth, and if officers were to attempt to force their way into a man's domicile to serve a subpoena, or resort to the subterfuges which are used by deputy marshals in Utah, in order to intrude into the people's privacy, they would be knocked on the head in short order and would find no court to sustain them in their official burglary. The only court relief they would be likely to get would be in court plaster.

It is difficult to explain the situation in Utah

TO AN ENGLISHMAN

even of uncommon information and ability, for he could not comprehend how or why people would put up with such infamous outrages as those which have been perpetrated there, in the name of law and under judicial authority. The attitude of non-resistance which the "Mormons" have preserved while their dearest rights have been assailed and their privacy has been intruded upon, while their leaders have been compelled to keep out of sight and their wives and children have been dragged before secret tribunals, while packed juries and spite witnesses have been procured to convict honorable men on groundless evidence, while one-horse magistrates have issued warrants of arrest and fined ladies for not worshipping them as all mighty, and while sneaking prowlers have nosed around their dwellings and insulted the ladies of their households, is proof beyond question that the "Mormons" are more submissive to law and its forms and officials than any other people under the sun.

The claim, it appears, has been set up by supporters of the crusade now in progress,

THAT IT IS COWARDICE

which has induced the gentlemen who have evaded the process of courts in Utah to keep out of the way of their persecutors for a season. And it is urged that if they wish to appear in the role of martyrs they ought to go into court, admit the charges against them and suffer the penalties imposed without a murmur. But those gentlemen have demonstrated in a thousand ways and under a variety of circumstances that they are not lacking in either moral or physical courage. They have faced dangers in varied form on land and sea without the shadow of shirking or shrinking. They have stood in the front when deadly weapons have been aimed at their breasts, have braved the fury of mobs, have suffered hardships and perils that would try the stoutest hearts, have embraced and defended an unpopular faith in public and private, and urged its claims against a raging world. They have lived for principle and proven that they are willing, if needful, to die for it. Their own people know of their heroism and understand full well that it is not fear that induces them to adopt their present policy. It would be much more in accordance with their personal feelings to meet the struggle quick and decisive, than to bear with patience the villainy of unscrupulous men and wait in silence the slow work of justice.

And it is a mistake to suppose that they wish to occupy the position of

VOLUNTARY MARTYRS.

They have a mission to perform which requires them to live and labor while vitality endures. They are aware that nothing would please the enemies of truth better than their death or imprisonment. In the warfare that has to be waged it would be the very extreme of folly to do that which the enemy most desires. They know that they cannot obtain a fair trial or a just verdict in courts organized, packed and planned to convict, in which the presumption of guilt precedes investigation, and where, instead of the prosecution having to prove the charge, the defendant would have to establish his innocence in relation to things on which it would be next to impossible to prove a negative. If there was any surety of a fair field and no favor of the prevalence of established rules of jurisprudence, of a speedy and impartial trial before a jury of their peers, they would infinitely prefer to stand before their accusers and measure arms with them in a court of law—or in any other way than to take their present course, which requires such submission and endurance as few men are able to undertake.

Oh, yes! No doubt the creatures who uphold the villainies now perpe-