

## DESERET EVENING NEWS.

EDWARD HALE, PUBLISHER, AND EDITOR.

EDWARD HALE, PUBLISHER,  
THE DESERET NEWS CO.

CHARLES W. VERNON, SECRETARY.

NUMBER. — FEBRUARY 16, 1862.

A STRAINED CONSTITUTION.

An important examination of joints was made in the Third District Court this morning. Collierwell well known to the community, and whose word would be relied on in any society here, was questioned closely by the Associate District Attorney and by the Court, in regard to their views concerning polygamy.

The questions and answers are interesting; so they, leaving the position occupied on this question by thinking men who are members of the "Mormon" Church. They also demonstrate beyond dispute the fact that good citizens, men of repute, who never violated the law, who believe it to be wrong to practice polygamy because the law prohibits it and the Church forbids it, who would be governed by the law to desist with a view of polygamy, are rejected as heretics because they do not think that, after investigation, heresy and disowning the Church, "it is necessary for a man to leave with his wife." This is the voice of the voiceless.

We do not wish to find fault with the learned Justice who rejected these claims for his individual action, because we think he erred according to his understanding of the law specially provided in such cases. It is to be found in Section Five of the Indiana Act, which makes it a sufficient cause of challenge to a jury panel summoned as a fore or witness in a prosecution for heresy, polygamy or unlawful cohabitation, "that he believes it right for a man to have more than one living and unmarried wife at the same time, or to live in the practice of cohabiting with more than one woman."

That is the law. Now as to the Judge's interpretation of the law. Does this places, "he believes it right," mean legally right or something else? If a citizen believes it wrong under the law of the land, and also under the rules of the Church, to do certain things, and if he would be governed by the law in passing upon a case of his, it would not be that fifty or even one hundred men practice heresy in the Indiana Court? We do not know. We do not know that the law was to drive out many more heretics than the death of his abettor, and that a quick, though thoroughly unfair, was the motive of action.

Mr. James Clark takes the ground that it is both morally and legally wrong to practice polygamy. He does not believe it is right for a man to have more than one or two (possibly three) cohabitants. Does not that fit the requirement of the law? In this the other "Mormons" summed up in joint occupy the same ground.

The law is the law in some States, Sunday laws prevail in some cities. If a man believes it to be wrong, he has the law to say so and to make others do the same. And, if he does not, he would enforce it because it is not fit, not sufficient for any lawful purpose? Would it be anything against his position if he believed that, in the absence of any law or statute against the traffic in slaves, or against Sabbath keeping, there would be no essential crime in either?

We believe that the real or some self-acts against the departing practice of polygamy carries them beyond the bounds of due discretion and the legal interpretation of law. And we think that almost all questions which have no bearing upon living actions are not within the province of the judiciary, but should be relegated to the power of the church, whether it be of theology, or philosophy, or moral science. We also think the Third District Court agreed some past exhortations of the people by an extreme and unnecessary construction of a provision, the nullification of which is plain upon its face. However, we have no special desire to see any "Mormons" serving on the grand jury.

## A GIANTIC COMBINATION.

One report is current that the California Pacific railroad is no longer competitor for Union Slave overland traffic. This company maintained, until a few days ago, a line of mail shipments between Sacramento and San Francisco. This line was used, it is said, for the Canadian Pacific, which picked up freight in "Pikes" and other mail, shipped it, and went via California. This, of course, was a means of keeping down rates on our mountainous highways. The reason for the withdrawal of the steamship line above mentioned, is said to be the payment of \$600,000 to the Canadian company by the American companies.

Furthermore it is charged that these same American lines are paying \$200,000 a year to the Pacific Mail Steamship line, which gives way to the Indians to keep up rates to the standard dictated by the railroads. These charges made by numbers in several newspapers throughout the country. These are not true in themselves, as far as the government, and the agents of the government, are concerned. The opinion of manipulating the people's property is more outrageous. The City of Boston, who owns and operates most of the Boston railway, would not be guilty of such bribery incriminating all his associates and numerous power. Now we have \$1,000,000 paid annually to maintain the Union roads and roads in an efficient manner, and to give supplies to the Indians.

The Adams and Company have three horses, and so do the Indians. In the presence of William H. Avery, before a court of inquiry and committee of both parties, he said he had \$1,000,000 paid annually to maintain the Union roads and roads in an efficient manner, and to give supplies to the Indians.

This is a combination which augments our country, and when taken in connection with our social development, this partnership did not last long, but on the conservative Massachusetts became separated with Mr. Avery. The latter, although his record was not so bad as he would have given place to another, and his horses were his own.

The Chicago Tribune asserts that the facts in the case have been known to members of Congress for some time. That while the railroads remained quiet and did their work to meet, there was reason for a passive acquiescence on the part of government, but that the roads have since outdone, and are using every possible means to capture the people, to allow it to work. It is what the roads have done. For these persons who are using them to destroy the Indians, and to force them to submit, and to become necessary, as a matter of self-preservation, to take the roads by force, and in so doing sacrifice the Indians. The success of the movement was taken up and given to Dr. Smith, of the cause University to analyze. The roads made him a victim of the railroad, and he himself open to suspicion of slandering the planter. The outrage has reached and passed the point at which he himself may practice treason in his office and name, but, regis or Sods will stand from denouncing it."

## SOLVING THE INDIAN PROBLEM.

This issue contains a communication from Dr. Charles Hill. His object, as will be seen from a perusal of his communication, is to present an adequate means of solving the Indian question, and to establish an entire system of bounded and levied expenditure of money in the attempted settlement. We trust the communication, mostly as it was written, will call him into the service of the nation, and that it will be of great value to the Indians, even from interests which but most present were not fully understood by a Fort Dodge colonel, without any trace of policy being shown. Still the question was not raised, and in the end or might be again, lay up the whole which had been analyzed by Dr. Smith, and which had been turned to the other side to the government, and had it analyzed at Fort Dodge.

It is evident that the most important consideration of the Indians was, that the government was, and is, to be held responsible for the conduct of the roads, and that the roads were to be held responsible for the conduct of the Indians.

The second analysis, however,

is, that the roads were to be held responsible for the conduct of the Indians.

"All this evidence, aiding the defense of the "Mormons," has to the greatest extent, raised the question, as to what would be their views under conditions that do not exist. They are educated on questions of states, sports, law and man, present facts. Is not that going beyond the purpose of the law and beyond the province of courts and court officials?

Prudential is the law in some States, Sunday laws prevail in some cities. If a man believes it to be wrong, he has the law to say so and to make others do the same. And, if he does not, he would enforce it because it is not fit, not sufficient for any lawful purpose? Would it be anything against his position if he believed that, in the absence of any law or statute against the traffic in slaves, or against Sabbath keeping, there would be no essential crime in either?

We believe that the real or some self-acts against the departing practice of polygamy carries them beyond the bounds of due discretion and the legal interpretation of law. And we think that almost all questions which have no bearing upon living actions are not within the province of the judiciary, but should be relegated to the power of the church, whether it be of theology, or philosophy, or moral science. We also think the Third District Court agreed some past exhortations of the people by an extreme and unnecessary construction of a provision, the nullification of which is plain upon its face. However, we have no special desire to see any "Mormons" serving on the grand jury.

The practical effect of "Mormonism" which is really the gospel of Christ, would ever think of engaging in the commission of a crime to subvert any nation. Several persons have been found since the troubles began who were believed to be persons of the master, but none of them were "Mormons." No amount of investigation would ever show that a Latter-day Saint was ever associated with any offense, excepting perhaps a trifling offense, against public order.

We may refer to the latest anti-Mormon association relating to the Indian question, for the purpose of showing that the adoption of Mr. Hill's suggestion on this subject is highly improbable, so far as the government now goes.

The practical effect of "Mormonism" upon the Indians may be said to those settlements where the Indians are savages, and the Indians are not.

This line was used, as I said, for the Canadian Pacific, which should stand.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.

The Indians are savages, and the Indians are not.