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TRUTH AND LIBERTY.

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THE DECISION IN THE MILES CASE.

THE ruling of the Supreme Court of the United States in the Miles case, will be found in our telegraphic dispatches. It will be seen that the rulings of the Third District and Supreme Courts of this Territory are reversed and the appellant is awarded a new trial.

This case caused a great deal of excitement throughout the country in consequence of the exaggerations of Dame Rumor, and the peculiar incidents of the trial. Miles was popularly credited with having married three young ladies on the same day. At the trial this number was reduced to two and the testimony on which the prosecution had to rely in establishing this point was that of Caroline Owens Maile, commonly known as Carrie Owens. This woman had been a long time before engaged to John Miles, in London, but the engagement was broken off, and the parties had not met each other for several years. Meanwhile the defendant met, and it was said became engaged to marry, Miss Emily Spencer, of St. George. He then went to England, where he met his former fiancée, and the acquaintance being renewed, agreed also to marry her. She came to Utah with him and was married to him in the Endowment House in this city.

According to her testimony Miles was previously married to Miss Spencer, on the same day. But no witness to the marriage was produced at the trial. Carrie Owens did her very best to convict the defendant, and the prosecution subpoenaed President John Taylor, Counselor D. H. Wells and others, for the purpose of extracting evidence concerning the ceremonies of the Endowment House. It will be remembered that for refusing to answer certain irrelevant questions concerning the religious ordinances in the House of the Lord, Brother Wells was committed for contempt and served two days in the Penitentiary, a grand and monster procession receiving him and escorting him to the city on his liberation, not out of disrespect for any law, but from respect to the man who was true to his religion, his brethren and his God, and who preferred to suffer, rather than violate his trust, and to bear the penalty of an unjust decision sooner than answer questions that no lawyer or judge had a legal or moral right to propound.

President Taylor also took a manly and dignified stand, frankly answering all questions which were lawfully propounded but guarding his rights and the rights of his people, never swerving from the truth nor concealing anything within his knowledge pertinent to the cause at issue.

These circumstances caused a great deal of comment and discussion. But the manner of empanelling the jury was perhaps the most notable topic of dispute. The prosecution challenged all "Mormon" jurors, and objected not only to those who were practical polygamists, but also to those who admitted their belief in the divinity of the revelation on celestial marriage. These objections were sustained by the Judge and thus a religious test was permitted in a court of our country, contrary to an express provision of the Constitution. By this means the jury which sat upon this case was composed of persons who were as much opposed to the religion of the defendant as those who were rejected were friendly to it. They were in this case the enemies of the accused. For there is this peculiarity in the situation here, that those who are opposed with any degree of intensity to the faith of the Latter-day Saints, are imbued with a corresponding degree of animosity to the people who hold that faith.

Several of the jurors who were rejected, testified under oath that while they believed in the divinity

of the revelation on celestial marriage, they also believed in the force of the law of Congress, and would convict upon good evidence a defendant who had broken that law, leaving the issue between God and the Government. As Latter-day Saints they had a certain religious belief; as jurors they had a certain secular duty. They would be true to their oath and perform their sworn duty, while they did not swerve from their personal faith. That they were sincere in this avowal, all their co-religionists will understand and maintain, whatever may be alleged or imagined by those who cannot comprehend the nature of our doctrines and the truth and honor and integrity of the "Mormon" people.

During the trial evidence was admitted contrary to the usual procedure in criminal actions; on the other hand, evidence necessary to the defense was excluded. Exceptions were taken on these various points and were embodied in the appeal to the Supreme Court of the United States. Only three of these are mentioned in the decision as reported in the telegrams. On the most important of all it appears that the opinion is adverse to us. The Court sustains the ruling of the lower tribunal excluding "Mormon" jurors in polygamy cases. That is, the highest court in this nation sustains the allowing of a religious test in the office of juror, in direct hostility to the supreme law of the land which says: "No religious test shall ever be required as a qualification to any office or public trust under the United States." Article VI of the Constitution.

The Court also sustains as evidence the admissions of the defendant related by other parties. That is, for instance, if he introduces a lady as his "wife" that may be adduced as evidence of his marriage to that person. But the Court decides that the evidence of Carrie Owens, on which the prosecution chiefly relied, was inadmissible. She stood before the Court in the relation of the defendant's wife, this not being denied by him, and therefore, under the Utah statute, her evidence was not valid as against her husband. This is a very important point, and the effects of the ruling will reach much further than the Miles case.

We must confess to surprise, not to say disappointment, at the ruling on the jury question. But we have no reason to expect that when there is the slightest chance for a rendering of the law in a manner likely to be inimical to our faith and religious practice, the decision will be in our favor. Our trust and confidence must be in God, not man; in a righteous course and wise and prudent actions, not in courts or officials. And there is one thing certain that any departure from constitutional provisions for the purpose of repressive measures against the Latter-day Saints, will sooner or later proceed in the direction of other religious bodies, and the work of evil will go on until the whole nation feels the direful effects of countenancing the subversion of the fundamental principles of religious liberty, one of the main things for which the fathers of our country struggled, on which the fabric of our national institutions has been erected.

FIFTY-FIRST ANNUAL CONFERENCE.

SECOND DAY.

Monday, 2 p. m.

Choir sang

"Praise to God, immortal praise,
For the love that crowns our days."

Prayer by President Angus M. Cannon.

Choir sang

"The Lord my pasture shall prepare,
And feed me with a shepherd's care."

President George Q. Cannon then read the statistical reports of the various Stakes of Zion.

APOSTLE ERASTUS SNOW

Said the gospel as expounded by the Savior and His Apostles was a perfect law of liberty. All the revelations that God ever gave to man in ancient or modern times tended to true freedom. Nothing connected with the Gospel of Christ has the tendency to restrain men of their liberty. These doctrines have attempted to draw a line between liberty and licentiousness; between liberty and oppression. Oppression and slavery are the result of sin, and violations of the principles of the everlasting

gospel, either by the ruled, by the rulers, or both—and generally by both. True freedom of mind and body and the enjoyment of human liberty, rest upon human integrity and virtue, and the observance of those principles of truth upon which all liberty is founded. There are some people who think they are always in bondage unless they are all the time trying to get into trouble; some seem never to be happy unless perfectly miserable. Oppression and slavery are in no way connected with the Gospel of Jesus Christ. The Nihilists of Russia, the Socialists of France, and the "Liberals" of Utah are "panting for liberty," but to obtain their ends (which would certainly be anarchy and destruction) they would assassinate the representatives of Government, kill the king, dethrone Jehovah. The same restless spirit that agitates such people has existed in former ages of the world, and their course is related in Bible history, and also their sad fate is made manifest by the displeasure of the Almighty against their rebellious course. "The powers that be are ordained of God," and a monarchial, or republican, or other form of government, is far better than no government, or the rule of those who most clamor for freedom with their mouths, but are tyrants in their hearts and are destroyers of good regulations and wholesome restraints. The oppression of a king is preferable to the oppression of a mob, where every man's will is his own law. The speaker made a wise and discriminating contrast between the government of God and the condition of anarchy that is being aimed at by freedom-shouters in different nations of the earth. He then spoke of the power and efficacy of the Priesthood in the settlement of difficulties by pacific measures, on the principle of amicable adjustment. There are no officials on the face of the earth, who are so easily approached, for the purpose of listening to and affording counsel and aid to those needing it, as the various authorities and officials in the Church and Kingdom of God, and there are no people who understand liberty better than the Latter-day Saints, for they have learned it in the Gospel. He could bear testimony to the fact that there are no better social and family regulations anywhere, nor any more true liberty, than can be found in many of our polygamous households and that they were far superior to those that existed in many places in so-called Christendom. In a political sense we are complaining of because we will vote for our friends, and give our sanction to those whom we know will make a wise and proper use of the power and means placed in their hands, and will not vote for our enemies who seek place and power for their own aggrandizement and personal ends. Some people's ideas of liberty seem to be independence of law, hostility to union, order and peace. Our regenerators would make it appear that unless we go to the polls and vote their ticket we are oppressed and priest-ridden. Yes, we do vote with the priesthood; we would indeed be foolish to vote for our enemies; then let us vote for our friends. Everybody acquainted with the Territory knows that the municipal, county and territorial offices of Utah are more justly and equitably managed, the taxes are less, and the wants of the people are more judiciously cared for than in any other State or Territory in the United States. We have not one defaulter in office here for ten in any other State. There are some who have heard so much of this twaddle about being priest-ridden that they think unless they vote with their enemies they will be put down as Mormon slaves; but reflecting men see through these things. There are people who instead of beginning to better the world by purifying their own hearts and homes, try to serve God like the devil by turning their attention abroad, and thus create anarchy. It is like the idiot, who, because he is himself houseless, and is compelled to sleep on the steps of the nabob, will put the torch to the nabob's palace and destroy it. Fools can destroy, but it takes wise men to build up. When the time comes that the extremists of the land sweep through the country with the violence of a tornado God will interpose His arm and the Saints of God will rally around the constitution, and form a nucleus around which men and women of virtue, intelligence and love of order will gather and carry out the purposes of God in promoting peace and true liberty.

He directed some plain and pointed remarks against those who are opposed to order and good government and showed that all law, human and divine, should tend to the maintenance of human rights and the welfare of all mankind.

ELDER JOHN NICHOLSON

Said he considered it the greatest privilege that could be enjoyed to be identified with the great work of the Lord established in our day, by revelation from heaven. The divine character of the work had been manifested to him personally, by the Spirit of God, so that he was enabled to bear witness to its divine authenticity. The promise made in connection with the preaching of this gospel of the Kingdom, that each obedient believer should receive an unerring individual witness of its truthfulness, was one of the characteristic features that strongly distinguished it from all other systems claiming to be religious and saving. The speaker said that since he last had the pleasure of attending a general Conference of the Church he had spent over two years on a mission to Great Britain, where he had rejoiced in proclaiming the gospel among the people of the world. While engaged in that labor he had taken pleasure in observing the evidences of the development of the work of God in the progress of the exponents of its principles. He had labored in the ministry previous to coming to the gathering place and was then, nearly 20 years ago, acquainted with the condition of the Elders. Comparison was largely in favor, as a whole, of those now sent out. The young men, born and reared in the Church, were as a rule, manifesting much devotion, and fearlessly proclaimed the gospel among the people. The speaker bore testimony to the divine character of the mission of Joseph Smith, regarding whose claims to being a prophet there was more abundant and striking evidence than in the case of any other man laying claim to prophetic inspiration that he knew anything about.

Prest. Geo. Q. Cannon then read the financial reports of the Logan and Manti Temples.

Prest. Jos. F. Smith gave out notices that the Elders called on a mission to Europe who were expected to leave on the 12th of April, will not now leave until the 19th. Also that a meeting of the Young Men's and Young Ladies' Mutual Improvement Associations would be held in the Assembly Hall in the evening at 7 o'clock.

The choir and congregation sang:

Guide us, O thou Great Jehovah,
Saints unto the promised land.

Conference was adjourned until 10 o'clock on Tuesday morning.

Benediction by Counselor D. H. Wells.

THIRD DAY.

Tuesday, 10 o'clock a. m.

The choir sang:

The great and glorious Gospel light
Has ushered forth unto my sight.

Prayer by Elder John H. Smith.

The choir sang:

Come listen to a Prophet's voice,
And hear the word of God.

APOSTLE F. M. LYMAN

Heartily endorsed the sentiments advanced by previous speakers during this Conference. We have a message of life and salvation to preach to the children of men, and God requires this service at our hands. We must as a people practice as well as believe what God has revealed for our salvation; we will be responsible to God for a faithful performance of all the duties required at our hands. God has inspired His servants to go abroad and preach the Gospel which we have received, and thousands have been gathered from the nations of the earth. In leaving our homes we have necessarily to make what appeared to be many sacrifices, but in reality we have made an excellent exchange, for our apparent loss has proved to us a great gain. We have gained power to obtain blessings connected with the Gospel which we never could have enjoyed had we remained where the Gospel first found us. God has taught us how to get free from our former sins, how to receive forgiveness therefor, how to escape condemnation, how to escape eternal woe, how to obtain wives and children and associations that will endure for ever, with eternal lives, eternal riches and glory and exaltation in the presence of God. But in order to secure these great and inestimable blessings, we must live for them, and regulate our

lives, according to the laws which God has given us or we shall not attain to these glorious blessings. The speaker then dwelt on the conditions that are necessary, to obtain the exaltation we are seeking, namely by complying with the ordinances of the Gospel, faith in God, purity of motive, and honesty of heart being essential requisites to obtain the forgiveness of sins and the reception of the Holy Ghost. And after persons are initiated as members of the Church, in order to receive and enjoy the favor and blessings of God, they must continue to observe every requirement of the Gospel. Let us be sure we take every step right, and take no step that is wrong. Let us press forward with energy and zeal to the will of God, and understand that every commandment is essential that honesty, temperance, virtue, truth, purity and integrity are essential as faith, or baptism, or giving tithes, or any other rule or requirement. There is no real pleasure in doing wrong, but there is blight that comes upon the soul from committing sin. Our religion forbids us from breaking either the laws of God or of man. We ought to be the most law-abiding people on the face of the earth. We have every liberty in the Gospel to do all the good we can while we are in the world, but we have not the liberty to do wrong, either to ourselves or our families or our neighbors. True, we have our agency and can act as we choose, but the law of God does not give us the right to do wrong. We are a Christian community; we believe in God, and in Jesus Christ, and they have a perfect right to give us laws and to lay down certain rules and duties that must be observed by us in order to secure the blessings that are promised. God has told us that this work will endure forever, and our bodies and spirits will endure throughout eternity. It is necessary to cultivate the powers of our being. The spiritual and moral and intellectual powers and faculties should be developed and cultured side by side with our physical faculties. Joseph Smith was a prophet of God, and the Lord tutored and instructed him years before He entrusted him with the Priesthood, and the work that God required him to do; and the Lord is giving us His word as fast as we are able to receive it. We should be apt scholars and learn to live every word that proceeds from Him. After an earnest appeal to all present to live faithful to the truth, in order to secure the blessings of the Gospel, he prayed that God would continue to inspire His servants during the remainder of the Conference.

APOSTLE BRIGHAM YOUNG

Felt pleased with the spirit that animated this Conference, and if the Latter-day Saints would strictly observe and carry out the counsel that are given them, there would be less need for so much preaching by the Elders. We as a people know that God led us to these mountains. We know that He led up the Prophet Joseph Smith in preaching to those who assembled at these Conferences the Elders know they are addressing those who understand what God requires. They are not an ignorant people but knowing the law of God is a thing, and the doing of it is another. The fact is we do not live strictly according to the light that we have received. He desired himself eternal life in the presence of God, as if he failed to obtain it, it would be his own fault, in not strictly observing the laws of God, and so with brethren and sisters. He had recently visited the settlements south and he was delighted to notice the growth, for they were fast filling up in numbers, and he verily believed they were also growing in faith. He was satisfied that sooner or later we as a people must observe some of the statutes of the Lord that now lie as a dead letter in our books, for God has decreed that His people must be united. What course the Lord will adopt to make us one he did not know, whether by letting loose upon us our enemies or some other way, did not matter, for he felt confident that the time would come when we would either become united together by common consent, or be secured until we obeyed the revelations that had been given. God has permitted us to go hither or thither, to go to the mines, to engage in railroads and other enterprises, in our own way, irrespective of each other. But there is no safety for us except in being united. The centre Stake in Jackson County will never be built up until we become one. The redemption of Zion which has to be accom-