

## EQUAL AND EXACT JUSTICE.

Two features in the Mountain Meadows trial are, to Americans, inexpressibly painful—one the guilt of W. H. Hooper, the other the inexcusable negligence of the Government. The former it is too late to help. If the man has damned himself to everlasting infamy, so he must go into history. If, with knowledge of their guilt, he covered up the crime of his co-religionists; if he took the money of the Nation as a Delegate, while screening the murderers of the Nation's citizens, and ate his bread at the price of innocent blood, may God have mercy on his soul! In this world there is no forgiveness for him.

But the Government may yet do something. Justice, tardy though it may be, may do something to clear us of the disgrace which otherwise must rest on the American name. We are not insensible to the legal difficulties in the way of prompt action. The prejudice in favor of local self-government is strong. But when the local government in other parts of the country permitted the murder of citizens to go unpunished, a constitutional way was found for the Nation to apply a corrective. The statesmanship which restored order and security to one-third of the States, is certainly equal to the enforcement of criminal law in a Territory.

It must be apparent to every unprejudiced thinker that Brigham Young is guilty in the matter of Mountain Meadows. It is equally apparent that he cannot be fairly tried under the present condition of things in Utah. Even if we should admit, by way of doubt, that he knew nothing beforehand of the massacre, he is still guilty as an accessory after the fact, and that by abundant evidence, unimpeached except by his own deposition. And such a deposition! To say that the press has no right to discuss his guilt now, is nonsense. When would crime ever be brought to light, or criminals tried, if everybody kept still about it? A free press in a free State is one of the appointed means for stirring up the proper persons to action. And that Brigham was the real author of the Mountain Meadows Massacre, we offer a few proofs.

First, is the condition of Utah at that time. This people were under an iron-bound system such as the world has never seen. Four distinct organizations, civil, ecclesiastical, social and military, bound them together in four directions, and consolidated them under the most rigid paternalism. The Ecclesiastical Government of the Church, with Brigham as Prophet, Seer and Revelator at its head, controlled every action in life. Below the First Presidency the Twelve Apostles divided the Territory into sees, each see was subdivided into bishoprics, and under the bishop each ward again subdivided into districts, under the immediate supervision of a ward teacher or spy. These catechized every person regularly; the slightest breath of discontent was successively reported to higher officials, up to Brigham Young. The Civil Government of the Church was still more rigid. Every little settlement had its President and his councillors (as John D. Lee over Harmony;) every collection of these, constituting a "stake" had a President (as L. C. Haight, superior to Lee;) above them all was the High Council, from that an order to the First Presidency, where all power again centered in Brigham Young.

The Territorial Government was on the same model. Brigham was Governor, the bishop in each county was judge, the Presidents held other offices corresponding to their rank in the Church, and even the Ward Teachers were private councillors and informers under the government. Besides all this, every able-bodied man in Utah was organized into the Nauvoo Legion. Brigham was Commander-in-chief, his second councillor, Lieutenant General. The Apostles were Major and Brigadier Generals, and so on down—each officer's rank corresponding in the four organizations. The interlock of Ecclesiastical, Civil, Military and Social, was complete; and every action of every man, woman and child was subject to control, and could, if need be, be referred to and passed upon by Brigham Young. He was Prophet, Seer and Revelator; he was President, Governor and Trustee in-trust; he was head of Church, State and Society, absolute over act, faith and thought, as no man has been since the Veiled Prophet fled from the horror of his crimes to self-destruction in a well of flame.

Great as this power was, there is abundant evidence that it was exercised to the utmost. In those times no man changed his residence or business, or entered upon any act of importance without consulting his spiritual guides; they in turn directed him to Brigham Young, if the case was in any respect worthy of attention. At this point some may call for proof. If the proof were less abundant, one might be justified in skepticism. Every sermon and speech from 1851 to 1860 boldly insists upon it; every Church paper avows it; the autobiography of every apostle and elder boasts of it; every old citizen knows it; no honest Mormon denies it, and to those who want documentary evidence, the direction might be—See the "Journal of Discourses" *passim*.

A crushing paternalism dwarfed every aspiration of the individual; there was a complete abdication of personal sovereignty. "Obey counsel" was the alpha and omega of political and social thought. Every act of private business was subject to counsel; counsel to sell and counsel to buy, counsel to go abroad or to stay at home, counsel to sell goods, to enter land, to drive stock or to take a first or subsequent wife. No man could evince the slightest disposition to personal independence without his case coming at once before the Church; if refractory, he was cut off, if only slightly rebellious, he was sent on a mission—and in those days, that amounted practically to confiscation of property. Of all these gov-

erning systems none was under more rigid control than the military. It is possible to believe that Hancock brought on the battle of the Wilderness against the wish and without the command of Grant, but it is not possible for any well informed man to believe that the Colonel and Major of the Iron county regiment ordered out that body against the wish and without the order of Brigham Young; for Grant was only the official superior of Hancock, but Brigham was official superior, civil governor, adopted father, great high priest and intercessor, and the incarnate voice of God to John D. Lee. At the worst, Grant could only have had Hancock court-martialed and shot; but to the mind of Lee, Brigham was able to cast both soul and body into hell. And is there one thinking man who believes that such a subaltern as Haight or Lee, under such an absolute commander as Brigham Young, would enter upon such an important line of action without express orders? Go tell that story to the mercenaries who write labored apologies for Brigham in the Eastern press; but don't tell it to any Mormon in Utah, or to any Gentile who knows the situation. They know better. A corps commander *might* make an attack without orders, or against the wish of the General commanding, and get off with his life; but that is something that never happens in the Mormon Church. Had Brigham reprobated that massacre, as he now claims, who does not know that in less than three months after it happened, the perpetrators would have been loaded down with irons, and in prison awaiting their certain doom—if indeed, "blood atonement" had not laid their mutilated bodies in the canyons, "to feed the fowls of the air," as called for by the Endowment oath. Would he, can any man believe, have retained them in fellowship, given them young wives, endorsed them from the stand, accepted their hospitality, *promoted them*? It is too monstrous to be credited a moment. Those who advocate such an idea are either determinedly self-deluded, or trying to deceive others. No intelligent man who has lived in Utah five years can believe that an officer of the Nauvoo Legion, a subaltern in the Church, an official in the State, would enter upon an act of such importance without orders from headquarters—unless, indeed, the man so believing has utterly debauched his conscience or his intellect by a persistence in Brighamite sophistry.

But suppose he is guilty, what can the General Government do? Many things. As a state of rebellion then prevailed in Utah, perhaps a military commission to take testimony would be legal. If not, then the accredited law officer of the Government should come upon the ground and examine thoroughly the whole case. Not to accept Brigham's hospitality, ride around in his carriage, eat his fruit and dance with his women, and then fall into idiotic raptures over Mormon loveliness; but to go among the people, get the facts, and then take the testimony of all who know anything about the massacre. If it is feared that local feelings will bias judgment, then let a Commission of Justices be appointed to try the murderers—anything, anything in reason, to get at the guilty. Congress should promptly take action (and it has the constitutional power) to bring Brigham Young and George A. Smith before an impartial tribunal and have them tried for murder. To try them before a Mormon jury would be a monstrous farce, only relieved from being amusing by being a gross fraud upon justice. If it is feared that any other kind of jury would not be impartial, then there is the right of appeal to the Supreme Court of the Nation, which could have no motive but justice.

This is a National concern. The murders have become of odious repute all over Europe. The long delay of justice is already a National disgrace. The blood of our countrymen, after eighteen weary years, still cries from the ground. Unless something positive and effective is done to secure justice, the memory of this Administration will only survive in infamy, and the governing party become a stench in the nostrils of the civilized world.