

## CHAPTER 11

### THE CHURCH AND THE CIVIL LAW

While the author of "Mormonism and Masonry" makes no direct charge of disloyalty against the Church, he does advance, as one of the reasons why Mormons should be excluded from membership in the fraternity, their attitude toward the enforcement of the civil law.

In justification of his attitude he refers to the anti-polygamy laws, and certain circumstances related to the Smoot investigation by the Senate investigating committee.

As much wrong may be done by inuendo and inference as by direct statement.

The answer to the charge of disloyalty to the government is given in the following chapter:

#### BY THEIR FRUITS YE SHALL KNOW THEM:

"Ye shall know them by their fruits. Do men gather grapes of thorns, or figs of thistles? Even so every good tree bringeth forth good fruit; but a corrupt tree bringeth forth evil fruit.

"A good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit. Every tree that bringeth not forth good fruit is hewn down, and cast into the fire.

"Therefore by their fruits ye shall know them."

The words which I have quoted are the words of Christ our Lord, uttered by him as he addressed the multitude upon the Mount, when he preached that never-to-be-forgotten sermon, a sermon the like of

which had never before been preached, never has since been preached, and none like it will be preached until he shall come to call us back to him, a time which is now at our very doors.

One hundred four years have elapsed since the legal organization of the Church of Jesus Christ or Latter-day Saints, which is commonly referred to as the Mormon Church. Since the time of its organization the Church has passed through an experience which is unique. It has been subjected to the criticism of learned people, who, without knowledge of the real doctrines which it teaches, or the accomplishment of its members, have united with the ignorant and unlearned in ridicule and denunciation, when reason and argument have failed.

It is not my intention at this time to enter into discussion of the circumstances under which the Church came into existence, or the doctrines which it teaches, my purpose being rather to call attention to some of its accomplishments.

I shall take you back to September, 1846, eighty-seven years ago, when the expulsion of the Mormon people from the city of Nauvoo, Hancock County, Illinois, occurred, at which time the Church began a chapter unparalleled in history.

At that time Nauvoo was the most populous city in the State of Illinois, having more than four times the population of Chicago, and three times more than Springfield. It was recognized as the foremost agri-

cultural, manufacturing, and commercial city of the State.

That I may not be accused of bias in that which I am about to relate I shall quote from memoirs of Colonel Thomas L. Kane, noted soldier and writer, and brother of Elisha Kent Kane, the noted Arctic explorer:

"A few years ago, ascending the upper Mississippi, in the Autumn. when its waters were low, I was compelled to travel by land past the region of the rapids. My road led me through the half-breed tract, a fine section of Iowa which the unsettled state of its land titles had appropriated as a sanctuary for coiners, horse thieves, and other outlaws.

"From this place to where the deep waters of the river returns, my eyes wearied to see everywhere sordid vagabonds and idle settlers; and a country marred, without being improved, by their careless hands.

"I was descending the last hillside of my journey, when a landscape in delightful contrast broke upon my view. Half circled by the bend of the river, a beautiful city lay glittering in the morning sun, its bright new dwellings, set in cool green gardens ranging up around a stately dome-shaped hill which was crowned by a noble edifice, whose high tapering spire was radiant with white and gold.

"It was a natural impulse to visit this inviting region. I procured a skiff, and rowing across the river, landed at the chief wharf of the city. I looked and saw no one. I could hear no one move. I walked through the solitary streets.

"The town lay as in a dream, under some deadly spell of loneliness, from which I almost feared to waken it, for plainly it had not slept long.

"There was no grass growing in the paved ways, rains had not entirely washed away dusty footsteps. Yet I went about unchecked. I went into empty work-shops, rope walks and smithies. The spinner's wheel was idle, the carpenter had gone from his bench and shavings, his unfinished sash and casing, fresh bark was in the tanner's vat, and fresh chopped light wood was piled against the baker's oven.

"The blacksmith's shop was cold, but his coal heap and



COLONEL THOMAS L. KANE

lading pool and crooked water horn were all there, as though he had just gone off for a holiday.

"If I went into the gardens, clinking the wicket latch after me, to pull the marigolds, heartsease and lady-slippers, and draw a drink from the water-sodden water-bucket, no one called out to me from an open window, or dog sprang forward to bark an alarm.

"I could have supposed the people hidden in their houses, but the doors were unfastened, and when at last I timidly entered them I found dead ashes white upon the hearths, and had to tread a-tiptoe, as though walking down the aisle of a country church, to avoid resounding irreverent echoes from the naked floors.

"Fields upon fields of heavy-headed yellow grain lay rotting ungathered upon the ground. No one was at hand to take their rich harvest.

"In and around the splendid edifice which had been the chief object of my admiration, armed men were barracked, surrounded by their stacks of musketry and heavy ordnance. These challenged me to render an account of myself, and why I had the temerity to cross the water without a permit from the leader of their band.

"Though these men were under the influence of ardent spirits, after I had explained myself as a passing stranger, they seemed anxious to gain my good opinion.

"They told me the story of the dead city, that it had been a notable manufacturing and commercial mart; that they had waged war with the inhabitants for several years, and been finally successful, only a few days before my visit, and had driven them forth at the point of the sword.

"It was after nightfall when I was ready to cross the river on my return. The wind had freshened since the sun set, and the water beating roughly into my little boat, I hedged higher up the stream than the point I had left in the morning, and landed where a faint glimmering light invited me to steer.

"There among the docks and rushes, sheltered only by the darkness, without roof between them and the sky, I came upon a crowd of several hundred human creatures, whom my movements roused from uneasy slumber upon the ground. They were there because they had no home, nor hospital, nor poor-house, nor friends to offer them any.

"They could not satisfy the feeble cravings of their sick, they had not bread to quiet the fractious hunger cries of their children. Mothers and babies, daughters and grandparents, all

alike bivouacked in tatters, wanting even covering to comfort those whom the sick shiver of fever was searching to the marrow.

"These were the Mormons in Lee County, Iowa, in the fourth week of the month of September, in the year of our Lord 1846. The city—it was Nauvoo, Illinois. The Mormons were the owners of that city and the smiling country around. And those who had stopped their plows, and who had silenced their hammers, their axes, their shuttles and their work-shop wheels; those who had put out their fires, who had eaten their food, spoiled their orchards, and trampled under foot their thousands of acres of unharvested bread—these were the keepers of their dwellings, the carousers in their temple, whose drunken riot insulted the ears of the dying.

"Above the distant hum of the voices of many, occasionally rose the loud oath-tainted exclamation, and the falsely intonated scrap of vulgar song; but lest this requiem should go unheeded, every now and then, when their boisterous orgies sought to attain a sort of ecstatic climax, a cruel spirit of insulting frolic carried some of them up into the high belfry of the temple steeple, and there, with the wicked childishness of inebriates, they whooped and shrieked, and beat the drum that I had seen, and rang with charivariic unison their loud tongued steamboat bell.

"The Mormons in Nauvoo and its dependencies had been numbered the year before at over twenty thousand. Where were they?

"They had last been seen, carrying in mournful train their sick and wounded, halt and blind, to disappear beyond the western horizon, pursuing the phantom of another home. Hardly anything else was known of them; and people asked with curiosity, what has been their fate, what their fortune?"

As stated by Colonel Kane, the Mormon Church had turned its face westward, to seek a home where it might find peace and rest with God and man. Its members had left behind the city they loved so well, the government of which they had been lawful citizens, the government for which their fathers had fought, and for which many of them had given their lives.

You are thinking, if as you say was the case, the Mormons were intelligent, patriotic, industrious, law-abiding citizens, why were they in constant conflict with their neighbors? Why did the Governor of Missouri issue an order demanding that they be driven from the State, or exterminated, an order which was executed without consideration of age or sex.

Why were they driven from the State of Illinois, under the circumstances to which attention has been called? I will answer this question by asking you another.

Why was Christ our Lord accused before Pontius Pilate of being a seducer, an enemy of the law, of calling himself falsely the Son of God, or pretending to be the king of Israel, and unlawfully entering the temple, and why was he finally put to death by the most ignominious means known to man?

Why did the twelve Apostles who followed him die the death of martyrs? Why were Christians smeared with pitch, ignited, and made to stand upon the walls of the colosseum of Rome to provide light, while Christians fought with wild beasts, or other men, and sometimes with each other, as a heartless emperor and depraved populace looked on and applauded?

The advance of the Mormon hegira had reached Council Bluffs, Iowa, where arrangements were under way to spend the winter and wait for those who were scattered along the road behind.

In the meantime war had been declared between the United States and Mexico.

On the 26th of June, 1846, Captain J. Allen, First Dragoons, United States Army, rode into the camp at Mount Pisgah, 138 miles west from Council Bluffs, and announced that he had been sent by Colonel S. F. Kearney of the United States Army, with instructions to solicit the enrollment of four or five hundred volunteers to serve in the war with Mexico. After leaving this message Captain Allen hurried on to Council Bluffs, where the main camp, with Brigham Young in charge, had been established.

In three days a battalion of five hundred men were mustered in, ready to march to Santa Fe, New Mexico, where they were to be incorporated into the regular army of the United States and begin the longest march ever accomplished by infantry, from that point to California.

Referring to this march, Colonel St. George Cook, who commanded the battalion, says: "History may be searched in vain for an equal march of infantry."

Governor R. B. Mason, successor to General Kearney as military commander of California, in a report made to the Adjutant of the army, September 18th, 1847, referring to the Mormon Battalion, says: "Of the services of the Battalion, of their patience, subordination, and general good conduct you have already heard, and I take great pleasure in adding, that as a body of men they have religiously respected the rights of this conquered people, and not a syllable of complaint has reached my ear of a single insult offered or outrage done by a Mormon volunteer. So high an



opinion did I entertain of the Battalion, and of their special fitness for the duties performed, by the garrisons in this country, that I made strenuous efforts to engage their services for another year."

These were the men who had been ruthlessly driven from the confines of civilization by their neighbors one year before.

The mustering in of the Mormon Battalion left the camps of their people greatly depleted. The activities of the camps fell upon the older men, and in many instances women and children were obliged to assume the responsibility of driving the teams and attending to the loose flocks and herds as the train moved slowly and sadly along.

On the 24th day of July, the Mormon pilgrims entered the Salt Lake Valley. At that time Utah was a part of the Republic of Mexico. The Mormons were in a country where they were entirely free from the jurisdiction of the United States, from which they had been obliged to flee. Brigham Young, as he gazed on the valley below, from the mouth of Emigration canyon, said: "This is the place."

The weary travelers celebrated their entry into the valley that was to be their future home by unpacking and raising the Stars and Stripes, which had been carefully stored away, and as it broke to the breeze, declared Utah to be a part of the United States of America, and pledged themselves to defend it against all enemies.

War clouds, dark and ominous, were again gathering. It was not a foreign foe that threatened.

Abraham Lincoln had been elected president of the United States of America. His attitude in relation to the question of slavery, an institution which existed in the south before the confederation of States was formed, had been definitely defined.

Having entered into the confederation of States by their own voluntary act, the people of the Southern States regarded it as their constitutional privilege to secede from the Union at will.

Fort Sumter was attacked and captured. The Stars and Stripes were hauled down, and the Stars and Bars run up in its stead. As usual the word went out that the Mormon people were in sympathy with those who sought the disruption of the Union. A telegraph line, the first to cross the continent, had reached Salt Lake City. October 16th, 1861, in the first message to pass over the line, Brigham Young, in a telegram addressed to Hon. J. H. Wade, president of the company, said: "Utah has not seceded, but is firm for the Constitution and the laws of our once happy country, and is warmly interested in such useful enterprises as the one so far completed. (Signed) Brigham Young."

The day after the following answer was received:

Cleveland, Ohio, Oct. 19, 1861.  
Hon. Brigham Young, President,  
Great Salt Lake City.

Sir: I have the honor to acknowledge receipt of yours of

last evening, which was in every way gratifying, not only in the announcement of the completion of the Pacific Telegraph to your enterprising and prosperous city, but that yours, the first message to pass over the line, should express so unmistakably the patriotism and Union loving sentiment of yourself and people. (Signed) J. H. Wade, President Pacific Telegraph Co."

On the same date, Frank Fuller, Acting Governor of Utah Territory, wired President Lincoln as follows:

"Utah, whose citizens strenuously resist all imputations of disloyalty, congratulate the President upon the completion of an enterprise which spans a continent, unites two oceans, and connects with nerve of iron the remote extremities of the body politic with the great governmental heart."

In 1862 Indian tribes became hostile, destroyed the mail stations between Fort Bridger and North Platte, attacked and killed passengers traveling in the overland coaches, and killed and robbed emigrants.

President Lincoln, through Adjutant-General Thomas, called upon Brigham Young to raise, arm and equip a company of cavalry to be incorporated into the U. S. Army, and to be detailed to protect the telegraph and mail communications through the Indian country.

May 1, 1862, the following telegram was sent in reply to the above request:

"Adj. Genl. A. Thomas,  
U. S. A., Washington City, D. C.

Immediately on receipt of your telegram of the 28th ult., at 8:30 p. m. I requested Daniel H. Wells to proceed at once to raise a company of cavalry to be mustered into the service of the United States. Today the company, 72 privates, officered as directed, and ten baggage and supply wagons, with one assistant

teamster, deemed necessary, took up their line of march for the neighborhood of Independence Rock. (Signed) Brigham Young."

These men performed the same devoted service that was rendered by the Mormon Battalion, until they were mustered out of the army.

Again war. The most wicked, unjustifiable, devastating war the world has ever known. A war which reached out its bloody hand to the most remote corner of the civilized world, and brought sorrow and mourning to its people. A war which cost the lives of 7,781,257 men, and left 18,681,257 others disqualified for useful occupation.

The people of Utah, abhorring war, but ever ready to respond to the demands of their country prayed that they might not be involved in this titanic struggle. In 1917, the government, having entered into the conflict, asked Utah to furnish 872 men. Before the war ended Utah furnished 24,382 men for the army and other branches of the service. Thirty-seven of the men furnished were descendants of Brigham Young. One Brigadier-General, one Colonel, 12 Captains, and two Lieutenants.

Utah was asked to furnish \$44,365,000, and she furnished \$65,069,000.

Two hundred thousand bushels of wheat were furnished by the Women's Relief Society, wheat which had been stored during years of peace and plenty for just such an emergency as that which had arisen.

Governor Bamberger, himself not a member of the Mormon Church, said: "The people of Utah

may well be proud of the great name they have made in this gigantic conflict. Practically every man, woman and child in Utah is enlisted for the war."

Honorable W. W. Armstrong, Food Commissioner for Utah, and not a member of the Mormon Church, said: "To undertake the reorganization of conservation forces in this State at this time would be like trying to paint the lily. The forces now organized are doubtless working more efficiently than similar communities will be able to work in any other State of the Union, and while not a Mormon myself, I cannot refrain from paying the Mormon people this compliment. I only wish that every State in the Union had the nucleus of such an organization."

"Washington, D. C.,  
June 3, 1918.

*Joseph F. Smith, Anthon H. Lund, Charles W. Penrose,  
First Presidency Church of Jesus Christ of Latter-day Saints,  
Salt Lake City, Utah.*

Dear Sirs:

From various sources my attention has been called to the fact that the Church of Jesus Christ of Latter-day Saints has freely and voluntarily contributed wheat and flour to the government for war use.

It is my understanding that your Church Relief Societies have been the medium through which this service has been performed. We who are charged with the very difficult task of administering the food program, gather new courage from this generous and patriotic act. It assures us that our reliance on the voluntary sacrifices of our citizens to meet, out of their bounty, the pressing and critical needs of our Allies, has not been misplaced.

With renewed appreciation of the interest and sacrifice which this action by your Church typifies, I am,

Yours fraternally,

(Signed) HERBERT HOOVER."

The World War statistics quoted include all citizens of Utah. Members of the Church, and non-members, all responded with equal patriotism to the call to arms.

The accomplishments referred to were mere incidents in the activities of the Church. While they were being enacted the body of the Church had been busily engaged in the construction of canals and reservoirs for the diversion of water from the rivers and mountain streams of Utah to desert wastes which have been transformed into fruitful fields, the establishment of towns which have grown to be cities, the establishment of schools which have become universities and colleges, until today Utah stands high in literacy among the States of the Union.

Utah has more Boy Scouts enrolled than any other State in our country, in proportion to population.

Referring to the Boy Scout movement in Utah, Dr. George J. Fisher, Chief Deputy Scout Executive of the United States, says:

"It was my pleasure recently to meet the representatives of the Boy Scout movement in Utah and to observe Scouting in action. Utah excels in Scouting. I was profoundly moved and greatly inspired by what I saw. Utah excels in the number of boys of advanced rank and a greater percentage of Eagle Scouts than in any other section of America.

"Scouting is reaching all boys—poor boys as well as those who are more favored. Utah is setting standards for the whole country. Utah is repeating history. Just as she developed the early scouts, the great heroes of pioneer days, so now she is raising up Boy Scouts, caught by the same spirit of enterprise, by

the same spirit of adventure. It is the pioneer spirit, the holy crusade of olden days applied in practical yet romantic fashion to the youth of this later age.

"The Mormon Church is the largest factor in this splendid achievement. She is furnishing men and vision and ideals to the young men throughout the State, and they as Scoutmasters are inspiring the youth of the State to become good Scouts. Splendid co-operation is given other religious agencies in this work.

"And for this good service we are deeply grateful. Scouting is marching on in Utah, an excellent example to all the nation."

Never since its organization has the Church been without missionaries in the field, traveling at their own expense, bearing the glad tidings of the restored Gospel to the people of the world, and never has the message been carried to a nation where converts have not been made to the truth of the restoration of the gospel which the Church bears to all people.

The Church of Jesus Christ does not belong to the men who preside over it. It belongs to Christ our Lord, and next to him to the men and women who make up its membership. Those who preside over it are the servants of the people over whom they preside, and not their masters.

This brief and very incomplete review reveals in a general manner the fruits of Mormonism, so-called. Are they good or bad fruits? Be ye the judge.

It was my privilege to personally know and be associated with the men who directed the activities of the Church from Brigham Young to the present. I knew these men as few men now living knew them. They were my teachers, the guardians of my youth. They taught me faith in a living God; that He is the

same good Heavenly Father that He ever has been to direct and bless those who put their trust in him.

They taught me allegiance to my country and obedience to its laws, and to defend it against all enemies, be they foreign or domestic. They taught me to defraud no man, even though the thing involved might be small. They taught me that a clear mind, susceptible to the influence and direction of the Spirit of the Lord, was dependent upon a mind and body kept clean and uncontaminated by the sins of the world. They taught me to observe the law of chastity with the same vigilance that I would my own life.

From the bottom of my heart I thank and praise them for their example and precept and the effect it has had upon my life.