

JUDGE ANDERSON AND "BLOOD ATONEMENT."

OUR review of Judge Anderson's decision in the naturalization cases on Nov. 30, was necessarily hurried having been written after the rendering of the decision and its setting in type. Therefore, while it covered the ground taken by the Judge, touching all the principal points of his argument (?), it could not elaborate upon any particular question in the limited space at our command. We shall therefore take up the different topics dwelt upon by the Judge, as occasion shall offer, and show how much truth there is in his conclusions.

The following extract from the decision is one of the most remarkable inferences ever drawn from testimony presented in any court outside of Hades. Judge Anderson says:

"The evidence also shows that blood atonement is one of the doctrines of the Church under which, for certain offenses, the offender shall suffer death as the only means of atoning for his transgressions, and that any member of the Church has a right to shed his blood."

Judge Anderson follows this statement with some extracts from discourses delivered more than thirty-seven years ago, containing the opinions of Brigham Young, Jedediah M. Grant and others on the dreadful consequences of committing a "sin unto death," such as referred to by the Apostle John, 1st Epistle, 5th chapter, 16th verse. But those parts of the discourses which explain the meaning of the speakers, the Judge carefully omits. He also excludes from his summing up, those passages from the Doctrine and Covenants that were offered in evidence which would have rendered his conclusion impossible or at least absurd.

Here are the passages pointed out to the Court, the whole volume having been offered in evidence by counsel for the objectors.

"And now behold, I speak unto the Church. Thou shalt not kill; and he

that kills shall not have forgiveness in this world, nor in the world to come."

"And again I say thou shalt not kill, but he that killeth shall die."—Doc. & Cov., Sec. xlii, v. 18, 19.

And it shall come to pass, that if any persons among you shall kill they shall be delivered up and dealt with according to the laws of the land; for remember he hath no forgiveness, and it shall be proven according to the laws of the land."—Ibid, v. 79.

It was in evidence that the revelations in the Doctrine and Covenants are viewed by the Church as divine and authoritative, and that the opinions of any person in the Church, whatever position he may occupy, are only to be considered as opinions. Also that any teaching contrary to the revelations of God is not received by the Church as its doctrine. Why did Judge Anderson suppress this evidence, and color the quotations he gave with his own unwarranted inference as to their meaning? Is this conduct worthy of a judicial mind? Would it be considered fair, even in a debate or controversy, oral or on paper, upon any subject of civilized discussion?

In order to still further excuse his conclusion, the Judge makes three isolated and disconnected quotations from an address by C. W. Peurese, delivered in the Twelfth Ward Assembly Hall, October 12, 1884. They have been cunningly selected and the context excised, so that they will appear to the reader as endorsing the idea expressed by the Judge. But if as many other extracts from the same discourse had been given, to show what the speaker was really establishing, they would have been fatal to the Judge's false and outrageous deduction.

This is Judge Anderson's first quotation from this address, page 18:

"Now, according to the doctrine of President Brigham Young, the blood of Jesus Christ, as I have shown you, atoned for the original sin, and for sins that men commit, and yet there are sins which men commit for which they cannot receive any benefit through the shedding of Christ's blood. Is that a true doctrine? It is true, if the Bible is true. That is Bible doctrine."

But this is only part of the paragraph. Here is the rest of it, which the Judge took pains to omit:

"I will direct your attention to one or two passages of scripture which bear on this subject. In the first place I will refer you to the words of the Lord Jesus Christ, which you will find in the 12th chapter of the Gospel according to St. Matthew and the 31st and 32nd verses, namely;

"Wherefore I say unto you, all manner of sin and blasphemy shall be forgiven unto men: but the blasphemy against the Holy Ghost shall not be forgiven unto men."

"And whosoever speaketh a word against the Son of Man, it shall be forgiven him: but whosoever speaketh a word against the Holy Ghost, it shall not be forgiven him, neither in this world neither in the world to come."

This is further explained in the same connection, and then the text is quoted from the Epistle to the Hebrews 10th chapter, 26th verse:

"For if we sin wilfully, after that we have received the knowledge of the truth, there remaineth no more sacrifice for sins."

Also from the same Epistle, 6 chap. 4th verse, as follows:

"For it is impossible for those who were once enlightened, and have tasted of the heavenly gift, and were made partakers of the Holy Ghost,

"And have tasted the good word of God and the powers of the world to come,

"If they shall fall away, to renew them again unto repentance; seeing they crucify to themselves the Son of God afresh, and put him to an open shame."

After commenting on the fact that the early Christian Church held the doctrine that there were sins for which the blood of Christ would not atone, if committed by persons who had once been cleansed from sin and had received the Holy Ghost, the annexed text was cited in his address, from 1 Cor. v: 5-6, concerning a gross sexual sin:

"For I verily, as absent in body but present in spirit, have judged already as though I were present concerning him that hath done this deed.

"To deliver such an one unto Satan for the destruction of the flesh that the spirit may be saved in the day of the Lord Jesus"

Let it be remembered that the pamphlet containing the address in full was presented in evidence. We quote further, from page 23:

"Now what kind of sins are these for which men cannot get forgiveness. The Apostle John says in the same Epistle I read from just now—the 3rd chapter of the First Epistle of John:

"No murderer hath eternal life abiding in him."

The man who commits murder, who imbrues his hands in the blood of innocence, cannot receive eternal life, because he cannot get forgiveness of that sin. What can he do? The only way to atone is to shed his blood. hanging is not the proper method. I refer you now to the 9th chapter of the Book of Genesis, 6th verse:

"Whoso sheddeth man's blood, by man shall his blood be shed."

On the 26th page the subject is carried further and the annexed passage occurs:

"Well, is there any other sin that a man may commit which is worthy of

death? I think there is. I will refer you to one in the Book of Leviticus 20th chapter and 10th verse:

"And the man that committeth adultery with another man's wife, even he that committeth adultery with his neighbor's wife, the adulterer and the adulteress shall surely be put to death."

"That was the law of God in the days of Moses. It was the law of God previous to the days of Moses, as you will find by reference to the Book of Genesis. It has been the law of God from the beginning."

The address then deals with the question as to the execution of the death penalty, and shows most emphatically that while murderers should be put to death, and that if the law of God was fully carried out, adulterers who commit this deadly sin after enlightenment by the Holy Ghost and having made special covenants with God to abstain from such transgressions, would also suffer the same punishment—as the only atonement possible for their crimes—it can only be inflicted by the officers of the law. Page 31 says:

"If a man commits a crime he is to be delivered over to be dealt with according to the laws of the land. The Church can withdraw fellowship from him, but the Church has no authority to execute the death penalty. A man may be deserving of death; but it is not in the province of the Church to kill; he must be delivered over to be dealt with according to the laws of the land."

It was not to be expected that Judge Anderson would quote extensively from this address. But having picked out part of a paragraph which appeared to suit his purpose from page 18, then jumped to page 36, and then skipped over to page 43, common fairness would have suggested that he should make at least one quotation to show the gist, and object, and whole tendency of the address. But no, not a word does he give as to this. For instance, he might have cited this from pages 35-6:

"The law of the land says that if a man kills he shall suffer death. But the laws of the land don't say that the adulterer shall be put to death. Therefore the penalty however deserved cannot be inflicted."

Also in regard to the opinions of leading men in the Church, he might have made this selection from the address:

"The law of God is paramount. When men give their views upon any doctrine, the value of those views is as the value of the man. If he is a wise man, a man of understanding, of

experience and authority, such views are of great weight with the community; but they are not paramount, nor equal to the revealed law of God."

The revealed law of God, as shown in this address, is that if any man commit crime he shall be delivered up to the law of the land, that members of the Church shall not kill, and that if they do they shall not have forgiveness in this world nor in the world to come. And the sentiments of the leaders and the people on this subject are emphatically expressed. Why did not Judge Anderson cite this passage from the address:

"All this shows that the Lord does not delight in the shedding of blood, neither do His servants. We are told that we shall not be blood shedders. We are to be temple builders. David of old was not allowed to build the temple because he was not clean from the blood of his generation. And the people called Latter-day Saints, from the head of the Church down to the humblest member, have a horror of the shedding of human blood. They are not a bloody-minded people. They are a forbearing people, as our cowardly persecutors are well aware."

Judge Anderson, in his partial and biased opinion, made no mention of utterances of the leaders of the Church which were presented in evidence and were utterly at variance with his sanguinary conclusion. He dismisses all this class of testimony with the words:

"An effort was made to show that the blood atonement as preached by Brigham Young and Jedediah Grant is not now the doctrine of the Church."

This is a misrepresentation of the facts. No such effort was made. The proof offered went to show that no such doctrine as that alleged by the objectors was ever entertained by the Church. It is true that it appeared in evidence that there had been no teaching for a great many years in regard to the ideas advanced by the preachers named, and that the address on blood atonement quoted from was delivered in answer to the erroneous ideas concerning it set forth by anti-"Mormons." But no such semi-admission as the Judge insinuates was made during the examination. It was denied then, and is denied now, that any Church authority ever declared the doctrine that men should be killed for apostacy.

And we challenge Judge Anderson, or whoever prepared the one-sided document that bears his name, to produce from the evidence presented in this case any proof whatever that the "Mormon" Church

holds or ever did hold the monstrous doctrine asserted by the Judge and which we have quoted at the beginning of this article. As to its practice, the best answer we can give to the accusation that men have been "blood atoned" for apostacy, is that offered in the address which the Judge has so honorably (?) cited:

"Has there ever been a case of blood-shedding by the authorities of the Church, or by the sanction of the Church, outside of the regular operations of the criminal law? I say there has not, and let those who say there have been such instances bring forth their proofs. The burden of proof is upon them." P. 33.

"Well, the best answer to all these stories is, that they cannot produce a single case of 'blood atonement'—cannot produce one individual case of a man or a woman in this Territory who has suffered at the hands of the Church, this penalty which President Young said ought to be inflicted upon persons guilty of capital crimes." P. 42

Even Judge Anderson was ashamed to mention the only attempt made to prove a case of this kind, which failed so signally as to cover the authors of it with contempt and expose them to the ridicule of all classes of the community. We do not care to express our feelings in view of the gross misrepresentation of our faith and principles contained in the paragraph we have taken from the Judge's decision. We only present the truth. And let those who pervert the doctrines we hold, whether for political or other purposes, remain in the hands of Him who shall deal out justice to all in His own due time.