

## EDITORIALS.

## THE ORDER OF LAYING TEMPLE CORNER STONES.

A FEW general remarks on the principle governing the order to be observed in building Temples are offered at the present time, that the officers and members of the Church generally may learn correct doctrine, and not be misled by any apparent difference which appears in the order observed in laying the corner stones of different temples at different times.

For example: It will be seen by reference to the minutes of the general conference, held in Salt Lake City, April 6th, 1853, (published in the *DESERT NEWS*, at the time, and in the *Millennial Star* of July 16th and 23rd, of that year,) that the order observed in forming the procession and in laying the corner stones of the Temple in Salt Lake City, as dictated by President Brigham Young, was as follows, viz:

First, after the bands, choir, guards, etc., came the First Presidency of the Church, who laid the South East corner stone, assisted by the aged Patriarch John Smith; and next in order was the South West corner, which stone was laid by Presiding Bishop Edward Hunter, his Counsel and the various presidencies of the Lesser Priesthood and their associates; after which the third or North West corner stone was laid by John Young, president of the High Priests' Quorum, with his counsel and the President of the Stake, with the High Council; and lastly, the fourth or North East corner was laid by the Twelve Apostles, assisted by the presidency of the Seventies and of the Elders' Quorum. But the account given in the History of Joseph Smith, (*Millennial Star*, vol. 18, page 470) of the order observed in laying the corners of the Nauvoo Temple is as follows, viz:

"The Architect then, by the direction of the First Presidency lowered the first (S. E. corner) stone to its place, and President Joseph Smith pronounced the benediction as follows:—'This principal corner stone, in representation of the First presidency, is now duly laid in honor of the Great God; and may it there remain until the whole fabric is completed; and may the same be accomplished speedily, that the Saints may have a place to worship God, and the Son of Man have where to lay his head.' Next the South West corner stone, by the direction of the President of the High Priesthood with the Council and President Marks (of the Nauvoo Stake,) was lowered to its place. The third (N. W. corner) was laid under the superintendency of the High Council of the Stake; and the fourth (N. E. corner) by the Bishops."

This is supplemented with the following explanations or items of instruction by the Prophet Joseph:

"If the strict order of the Priesthood were carried out in the building of temples, the first stone will be laid at the south-east corner by the First Presidency of the Church. The south-west corner should be laid next. The third or north-west corner next; and the fourth or north-east corner, the last. The First Presidency should lay the south-east corner stone, and dictate who are the proper persons to lay the other corner stones. If a temple is built at a distance, and the First Presidency are not present, then the Quorum of the Twelve Apostles are the persons to dictate the order for that temple; and in the absence of the Twelve Apostles, then the presidency of the Stake will lay the south-east corner stone, the Melchisedek Priesthood laying the corner stones on the east side of the Temple, and the Lesser Priesthood those on the west side."

The foregoing examples and instructions clearly indicate two things:—

First, that the order of laying corner stones is from the east to the west, beginning at the southeast corner:

Second, that the principal or

chief corner is laid by the highest authorities of the Church present; and if it be the First Presidency or Twelve Apostles, they dictate who of the other authorities present, shall lay the other corner-stones; but if neither of these are present, then the Stake presidency lay the principal corner (S. E.) and other authorities of the Melchisedek Priesthood the northeast, while the bishops lay the southwest, and their assistants of the Lesser Priesthood the north west, in the order from east to west and as above stated.

After the first or southeast corner stone is laid, if the First Presidency or Twelve is present, they dictate who lay the others. But if these two quorums are absent, then the Presidency of the Stakes have no discretion; the stones must be laid according to the rule laid down, namely, the Melchisedek Priesthood must lay the corner stones on the east side of the Temple, and the Lesser Priesthood those on the west side, as these officers are local.

JOHN TAYLOR,  
In behalf of the Twelve Apostles.

## "BIGAMY AND POLYGAMY."

We have received from New York a pamphlet entitled "Bigamy and Polygamy," which is a review of the Opinion of the Supreme Court of the United States in the Reynolds case, written by "an old lawyer" of that city. It is a most able document, and gives evidence of great erudition as well as a keen intellect and extensive legal experience. We do not know who the author is, but judge from this work that he is no ordinary attorney, but a constitutional lawyer of admirable literary talent.

The first point considered by the writer, after stating the case and quoting the anti-polygamy act of 1862, is the power of Congress over the Territories. He shows that all the authority which that body may lawfully exercise over the Territories is conferred by the clause in the Constitution which says:

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

He goes on to prove that this applies not to persons but to property, and argues:

"The inhabitants of Utah, of Wyoming or of Arizona, are not the territory of the United States; they are in no sense private property. They are human beings, entitled according to the principles upon which alone it is affirmed right government can be founded to life, liberty and the pursuit of happiness, in their own way under the rule: Freedom in each to do whatever is not inconsistent with equal freedom in every other."

"The statute in question has nothing whatever to do with the proprietary rights of the United States, unless upon the presumption that the people of the Territories are the chattels of the nation, that they stand to the government in the relation of serfs, having no rights which it is under either legal or moral obligations to consider, or as apprentices whose personalities are merged in and absorbed by the body politic to which belongs the unsold residue of the land in the region they inhabit. It is a very violent presumption."

He says further that when the framers of the Constitution wrote the clause in question:

"They did not mean 'the Congress shall have power to prescribe the social order of the people of the Territories, and regulate their domestic relations and to enforce the same by appropriate penalties.' They knew, if the statesmen of the present day do not, that no authority placed in the hands of a body liable to be influenced by popular bigotries, and swayed by transient fanaticisms could be more perilous, or more apt to be hastily and unjustly exercised, than the authority to dig beneath the civil state, and tamper with the social basis upon

which it is founded; and they intended to confer no such authority."

After showing that there is no basis for the presumption that the inhabitants of the Territories are less competent to comprehend or make provision for their own civil, social or domestic needs than the inhabitants of the States, he says:

"It is of no importance whether or not this question of constitutionality was raised by the counsel for the plaintiff in error. In a tribunal of last resort, in cases wherein action is predicated upon a statute the constitutional question is never absent."

He dwells on the importance of this matter, which the Court should not have disposed of by "a naked dogma without show of reason or of precedent," and reasons that:

"When a constitutional clause which contemplates only public property is held competent to sustain a statute which contemplates only private persons, there is a chasm to be bridged, for the accomplishment of which enterprise, no amount of constructive ingenuity can be more than sufficient."

He further contends that the case before the Court was a question of morals; "that of the right of a system of social and domestic order, established by the consent of its factors, and in harmonious existence, to continue unsubverted by exterior force though clothed with a color of authority." He reasons at length upon the various standards of morals of different authorities, shows that the ultimate rule of the moral is the actual, and argues that government has no right to power to enact statutes regulative of the personal relations of the people of the Territories, in any other way or to any other extent than they would legislate for themselves. That special customs on matters of human intercourse have always been respected by courts as the law of the region in which they obtain. The custom of plural marriages had its beginning with the birth of the community within which it prevails. It is the fundamental law of that community, and as such is entitled to be judicially regarded.

The importance of this question upon the future of thousands of men, women and children is then considered, with the knowledge of the Court of the fact that the defendant represented a community. The next point is the essential difference between the crime of bigamy and the "Mormon" practice of polygamy, which is handled in a masterly and convincing manner, and it is shown that the Act of '62, which declares that "every person having a husband or wife living who marries another, whether married or single, in a Territory, etc., is guilty of bigamy, in view of the difference between bigamy and polygamy, carries a falsehood on its face, as does the statement of the Court that "there never has been a time in any State of the Union where polygamy has not been an offence, cognizable by the civil courts, etc."

Marriage is then viewed as a contract. A fundamental civil maxim forbids government to do ought to impair the obligations of contracts. This includes the denial to legislatures of authority to do ought to diminish the free agency of the citizen in contracting.

"To the operation of this principle, there can be no valid reason why a marriage contract untainted by fraud and entered into in conformity with the custom of the community wherein it is executed, should be held to constitute an exception. If such contract is, in any sense the basis of a sacred obligation, so much the more reason why, especially after it has been consummated by cohabitation, secular hands should not be laid upon it to work its outlawry and dissolution."

The writer next shows the sacred duty of courts to protect the helpless against the machinations of the malignant, and pictures the effects of an enforcement of the law. "The fact that a rule works oppression, is proof that it is wrong." He exposes the fallacies of the reasoning of the Court in relation to the powers of civil government, and says:

"While in one sentence it gives the information that society is founded upon marriage, and in the next that government is founded upon society, in the very next it conveys the astounding intelligence that it is within the legitimate power of government

to take jurisdiction of the fabric of society and to appoint the relations in which its factors are to stand to each other." \* \* \* "Society creates government; government, by way of returning the favor turns round and creates society. It does even more than this, it dives to the very bottom of things and ordains the relations upon which society rests for its foundation." \* \* \* This is communism."

We have not space to remark upon the whole pamphlet. It is full of thought vigorously expressed, and in addition to reviewing the social and religious aspects of the case, proves the violation of established principles in the exclusion of jurors in the trial, on the polygamy test, and consequently the error of the Court in its ruling on this point. The work concludes with the following pungent paragraph:

"But it was, in fact, Mormonism and its domestic relations that were on trial; and when the Act of 1862 was passed, the judgment against them was foreordained. The equivocation embodied in the statute has borne throughout its appropriate fruits, in sophistications of the law, in violation of the rules of jurisprudence; in the abandonment of fixed maxims and precedents, in the privation of the defendant of legitimate means of defense, and in the arbitrary and tyrannical disparagement of the whole of a numerous and loyal population. The court has done its work—all the courts have performed their respective parts in the programme, accordingly as the same were appointed; but they have not done justice. They have won a round of applause of a number of fanatical men and silly women, whose fanaticism and silliness, so far as lies in their power, they have made the law of the land. But they have done that against which every spark of true manhood will protest; a deed disgraceful to themselves, to civilization and humanity."

## "MORMONS" IN ARIZONA.

ARIZONA papers are not in harmony on the question of "Mormon" colonization in that Territory. The *Enterprise* is opposed to it, the *Miner* in favor of it. The former is bitter and unreasoning, the latter kind and rational. The reason of this difference is that the *Enterprise* has been influenced by "common fame," while the *Miner* has sought for information from authentic sources. The first paper echoing the sentiments of our enemies, without investigating the matter itself, says, in its issue of the 6th ult:

"A set of fanatics, who practice what is most abhorrent to civilization—polygamy—have settled on the Little Colorado River, by far the most extensive and fertile section of Arizona, and are gradually spreading themselves over other parts of the Territory. We hope before many months have passed to see these superstitious bigots driven from our Territory, and an industrious, reasonable, law abiding people settled on the lands they now occupy. The Mormons should be compelled to go. We don't want them in Arizona."

The other, after making the acquaintance of two representative "Mormons"—Brother Lake, of Sunset, and Brother Savage, of Brigham City, two of the settlers made by our people in Arizona, speaks very favorably of the interview, and announces on the 10th ult. a meeting to be held in the evening at the Marina Street, Prescott, Church, at which these two gentlemen would speak, and advise the people to go and hear for themselves. On the 11th ult. the *Miner* gives a synopsis of the addresses delivered on the previous evening, from which we extract the following:

"The addresses of these gentlemen were well delivered, and certainly of a character which embodied truth and to which the most crafty sectarian could not take umbrage, but would be compelled to acknowledge as just about right. Bishop Lake, in his easy and rapid way, told us of his experience as a member of the Latter-day Saints, how he came into the Valley of the West—the Great Salt Lake—many years ago, helped to dig the first irrigating canals, plant the first seeds, erect the first cabins, and had

lived through years with his "brethren in the cause," putting up with privations and hardships, and was proud to see that land which was once a barren desert, reclaimed, built up with fine edifices, and provided with fine schools, churches, manufactories, and the earth made to produce the cereals of the country, the fruit of the tropics and blossoms with the lily and the rose; all this had been accomplished by adopting a co-operative system. He had come to Arizona with a number of his people and settled in the most sterile parts, where other colonists from the old State of Massachusetts had located and abandoned on account of its worthlessness. He told the audience of the success and progress that his people had made on the Little Colorado; that they had come here in a friendly spirit to help develop the resources of this Territory; how his people were putting up grist and saw mills, starting in to build a tannery and woolen mill; cultivate the soil and care for the herds of horses and cows; to live within their means and try and do what was right and just.

"He explained how the Mormon people succeeded in their undertakings, and gave as a reason that they work in union under the United Order. They have adopted the hotel style of living, all sitting down to one table; that while some of their people were cultivating the soil, others were attending their dairies, saw mills, etc. No idleness is indulged; intoxicating drinks and gambling is something not recognized by the teachers of their faith. The speaking of both of these teachers of the doctrine of Mormonism embodied all that was good. Their views are liberal, no bigotry enters their faith, and their grand and noble motto is—'Do unto others as you would that others should do unto you.'"

The difference in the spirit of the two papers is marked and distinct. The gentlemanly and liberal view of the *Miner* shows up in pleasing contrast to the bigoted and bullying style of the *Enterprise*. We are gratified to know that the former represents in this case the sentiments of the most influential men of Arizona, who recognize the industry, thrift, order and enterprise of the "Mormon" colonists and see in their presence and labors the sure promise of development and wealth to the Territory.

We would remind the *Enterprise* that the public domain in Arizona is open for settlement and improvement to the "Mormon" equally with the Catholic, the Methodist or the infidel. All are equal in this respect before the law. And also that "driving" people from the lands they have honestly acquired and "compelling them to leave the Territory," is not an American, to say nothing of a Christian or civilized method of exhibiting objections to the faith of any person or community. Neither do we think it likely to succeed or that the advocates of such a fanatical and bigoted policy will gain much respect or make much capital by their lawless suggestions.

The "Mormon" settlers on the soil of our southern neighbor are just the kind of human material needed there for the building up of the country. It will be found substantial, permanent and valuable, and on closer acquaintance to bear none of the disagreeable and obnoxious features which rumor and prejudice have attached to it. The *Enterprise* should take a leaf out of the book of the *Miner*, and learn the facts before indulging in fury, and strive to maintain the rights of citizens rather than to counsel violence and mobocracy. The right way is the best, and the way of the *Enterprise* is certainly wrong and indefensible.

## ONE OF "THE SIGNS."

IT is sometimes denied in the public prints of this country that the Jews are making any movement of importance towards the re-occupation of their ancient inheritance. But there are societies in active though quiet operation in Europe, with the object of aiding indigent Jews in moving to Jerusalem, and the work of the gathering is gaining ground. A French newspaper says:

"Judging by reports which appear tolerably well confirmed, the Jews are little by little retaking