

## EDITORIALS.

## "THE CRUSADE AGAINST THE MORMON CHURCH."

UNDER the above heading, the Baltimore Sun has a long article, giving the chief points in the history of the suits to confiscate the property of the Church of Jesus Christ of Latter-day Saints, and commenting upon the law and the expediency of such a crusade. The Sun expresses a desire that the power of the Church may be broken, and that it may die or emigrate, and then says:

"But it will not answer in constructing the constitution to do evil that good may come of it, and the court of last resort will doubtless decide the question without regard to the end to be accomplished. The constitution provides that Congress shall have power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the United States or of any particular State." The scope and meaning of this constitutional provision has been many times discussed in the political history of our country, and a recent and striking instance of the absurd length to which the authority of Congress was sought to be carried was when, at the close of the war, Congress endeavored to reduce the Southern States to the condition of Territories, in order to usurp all State authority and assume exclusive jurisdiction over them. Confessedly the theory of interpretation could not stand, and the Jacobin leaders of that day were constrained to admit that the legislation resorted to was outside the constitution. But supposing the authority of Congress to be different in territorial affairs, what is its true limit? It has been repeatedly asserted, and by some of our soundest constitutional lawyers, that the power reserved in the section we have cited means nothing more than that the general government has the right to exercise its purely proprietary rights over the land and goods it possesses lying within these territories. If this is the true meaning of the section, then it cannot be that congressional authority extends to that infinite number of purely local affairs, including the laws of marriage and divorce, which each State controls for itself and each Territory claims the power to regulate. Of course it must be conceded that unless the power is given to Congress by the constitution to regulate the local matters covered by the Edmunds law, then Congress has no other authority, for all powers not granted are reserved. This view of the constitutional limitation upon the power intended to be vested in Congress is strengthened by that other provision which delegates the only exclusive jurisdiction upon such subjects to be found in the federal constitution. This is the authority to exercise exclusive legislation over the District of Columbia, and over the forts, dock yards, arsenals, etc., belonging to the United States. It has been strongly argued that if the framers of the Constitution intended to confer a like power in the case of Territories, it would have been a very easy matter to have expressed their meaning in terms equally clear, but that not having done so affords at least a strong negative reason for supposing that no such power was designed to be conferred. So that it is manifest, notwithstanding the fact that the law under which this destructive assault upon the Mormon Church has been made, was prepared by men conspicuous for their legal knowledge, and after a full and careful consideration of all the doubts which have hitherto invested the subject, the important question involved, and upon the decision of which this entire forfeiture of Church property rests, is far from clear, and its final adjudication will be looked forward to with interest and solicitude by the whole country. One thing, however, is certain, we cannot afford to wound the constitution even for the purpose of getting rid of this black spot upon our civilization."

## DISFRANCHISED VOTERS IN IDAHO.

THE people of Idaho who have been deprived of the right of suffrage by an arbitrary and un-American law, and by a harsh and strained interpretation of it through judicial bias, have been placed in a very unpleasant situation in many respects. What they ought to do under the circumstances may not be clear to people at a distance from the seat of political war. Neither do we think the gratuitous opinions, conjectures or criticisms of persons or papers unfamiliar with all the circumstances, needs and motives of the parties chiefly interested, are entitled to any great weight, if to any grave consideration. Therefore we have no advice to offer, except this: Seek for counsel to the best and wisest men on the spot, who are tried and true, and whose opinions are valued and valuable. They will not lead anyone astray who seeks to them for guidance. They know what is required; their word is worth more than volumes from irresponsible persons at a

distance, who jump at conclusions and are hasty to decide. The situation in Idaho is peculiar to Idaho, and when Idaho people are at a loss to know what is for their best interests, the authorities in Idaho should be appealed to rather than persons in another Territory. We sympathize with our friends in the North and hope that their day of deliverance is near at hand. God helps those who help themselves.

## IN A CONSERVATIVE SPIRIT.

IT appears that the City Council are disposed to proceed with the sewerage work in a conservative and careful manner. As we understand it, they do not propose to levy a tax at once on all the property owners in the Sewer District for the work to be done, but proceed as necessity requires. First, the matter of the main must be decided, and when that is finally settled, both as to where it is to be laid and where the outlet is to be, and also what shall be done with the sewage, Main Street will be the first street on which the laterals will be laid, and the property there will, of course, be the first to be taxed for that purpose. Then the work will be extended as fast as necessary and the property benefited be taxed for the expense. This is what we are informed, and we think the plan will strike everybody interested in a favorable manner. That Main street needs relief we have always conceded, and that should have the first consideration, each part of the District paying for what they get as they get it. We hope the plan for the outlet will be thoroughly considered before definite action is taken.

## THE GOVERNOR'S REPORT.

TODAY'S issue contains Governor West's annual report to the Secretary of the Interior. A large portion of it is devoted to an exhibit of the material resources and interests of the Territory. That part of the document conveys, so far as it is correct, a fund of useful information, and shows that the people of Utah are in a prosperous condition. It is an exhibit that could not be truthfully made concerning any other than a population having sturdy and generally commendable characteristics. Indeed, in another portion of the report Governor West gives the people as a whole credit for possessing many admirable traits, such as honesty, sincerity and industry, for which they have always been conspicuous.

The concluding portion of the document is devoted to comments upon what is termed the situation. This part shows that his Excellency is more happy and consistent when he confines himself to figures than when he makes an attempt to enter the field of logic. As in the case with his former reports and other official papers from the same source, the one under consideration bristles with sharp contradictions in place of points.

The fact of differences that are alleged to have heretofore existed, having recently been bridged by a business amalgamation between non-Mormon and Mormon citizens by common participation in organizations and associations in which the latter were not in control, is ingeniously stated. This joining of effort to promote certain material developments relates, of course, to business matters. The statement is, however, flatly contradictory to the Governor's other avowal to the effect that there is an irrepressible conflict between the two classes.

It may be said that this antagonism is purely political. It decidedly is, but it is disingenuous to hold that the impracticability of reconciliation can be properly laid to the "Mormon" people. The latter have offered to step forward in the same direction politically as they have done according to the Governor's showing, in a business way, but instead of being welcomed, they unceremoniously and without a shadow of reason, had the political door slammed in their faces. This is a notorious fact.

The reason is not far to seek. A minority are opposed to the political advancement of the Territory so long as the non-Mormons are in the majority, because political intriguers are in doubt as to whether they will receive "Mormon" votes. If they could be assured on that score, beyond a doubt, the irreconcilable conflict would cease.

It is alleged that what advancement has been made has been inaugurated with a view to Utah's being clothed with statehood. So long as Utah does advance, what matters it as to the cause of the progress? It certainly is not a crime to develop in such a way as to be prepared for increased responsibilities and growth.

A good deal is said about priestly control by his Excellency. His own attempt to secure the patronage and control of all the offices in the Territory for himself ought to make him careful about throwing stones, lest he demolish the political house in which he is domiciled.

The refutation to his statements in relation to the absolutism he asserts prevails in the Church exist on every hand. Men who have been and are un-

friendly to the "Mormon" people, feed and fatten on their subsance. If this extraordinary power existed that he speaks of, surely those who wielded it would not be likely to permit to be fostered and pampered in their mist an element who have an avowed purpose to injure them in every possible way.

This alleged arbitrary power gives political and business preference to those who serve the Church best, says the Governor, in substance. How does this announcement agree with his other avowal, to the effect that although the "Mormons" are in control, they have extended opportunities for the election of non-Mormon members of the City Council of Salt Lake? Then there is his statement in the same line regarding the placing by a Legislative Assembly overwhelmingly "Mormon," of non-Mormons upon the boards of various public institutions. The one proposition contradicts the other; otherwise those offices were bestowed on the individuals referred to by the arbitrary priestly power on which Mr. West so extensively dwells. The fact is they were elected in unison with the principle of popular representation, in contradistinction to that of mere party representation, which almost universally obtains elsewhere.

And yet, after showing what a hideous thing the "Mormon" religion is, as opposed to freedom, Mr. West makes a clear cut contradictory statement to the effect that there is nothing in the religion of the "Mormons" that conflicts with the law except polygamy. There is an "irreconcilable" antagonism between those two positions.

The Governor wants a system introduced here by Congress that will more effectually fit Utah for statehood. Judging from past events, we presume that this would, in the mind of the Governor, be decidedly promoted, if he was vested with full authority to appoint every officer in the Territory. If the recommendation of Mr. West in relation to a commission of inquiry be adopted, a body of that kind would have an opportunity to scrutinize some potential facts that are salted away for future use, should it be necessary to fish them out.

## STATUORY TWINS.

WE are pleased to be enabled to present today the full text of the decision of the Supreme Court of Nevada upon the anti-Mormon disfranchisement law. The act was in its nature and on its face a legislative outrage, violative of the express provisions of the State constitution, to which, in enacting the now defunct statute, the legislature placed itself in dire antagonism. The court could not consistently take any other position than it did. Its decision is simply invulnerable.

The reasoning of the court is unusually pointed and plain. If the Legislature can disfranchise a citizen because he belongs to the Church of Jesus Christ of Latter-day Saints, commonly called the "Mormon" Church, it could rob of political rights in that respect others because they belonged to any other church, association or organization. It is an accepted truism that when any class of people are denied constitutional rights, the liberties of all the others are jeopardized. When that subversive law was enacted the legislature was getting into the condition of the sick man when addressed by a friend who inquired as to the state of his constitution. "I haven't got any constitution; I'm simply living on the by-laws," was the reply. The Supreme Court of Nevada stepped in, however, and introduced a reminder, in the shape of a ringing decision in favor of equal rights, that there is such a thing as an organic law with which all legal enactments should conform.

The Idaho test oath statute is precisely of the same character as the one recently killed and buried in Nevada and should have met with the same fate. It would have been so treated except for the existence of "Janatism on the bench" of our sister Territory in the north. It is to be hoped that when it is acted upon by the court of last resort, it will be effectually wiped out, and we believe that will be the treatment it will receive.

Although the Nevada statute was similar in nature and intent to that of Idaho, the former was the more straightforward of the two. Its language was direct, stating without ambiguity, that members of the Church of Jesus Christ of Latter-day Saints could not vote at any election. The outrageous Idaho law was intended to provide similar treatment for members of the same Church, but did not name the organization by its title. Directness even when exhibited in a wrong cause, is entitled to at least a moiety of respectful consideration, however infinitesimal, but covert legislative stabbing has no redeeming element associated with it.

Those who applaud and support such legislative enactments as the Nevada and Idaho anti-Mormon test oath statutes are the enemies of democracy, lacking in every patriotic instinct. They belong to that class who are mere camp-followers in the battle of freedom. They never have struck and never will strike a blow for human liberty.

Every lover of equal treatment under the constitution and laws will

hope that the demise of the test oath abortion in Nevada will soon be followed by the funeral of its twin sister in Idaho.

## UNFAIR ANIMADVERSIONS.

THE stir created by the correspondence between an alleged Englishman who had become a citizen of this country by naturalization, and Lord Sackville-West, minister to the United States from England, continues without abatement. The mythical Englishman dated his letter at Pomona, California, while that of Lord Sackville-West was written at Beverly, Mass.

A perusal of both letters indicates clearly that at Pomona there is a sneaking political trickster, and at Beverly a high-toned, truthful gentleman, too honest to suspect that the letter addressed to him was one of the wiles of a low-down American politician. One who would not himself stoop to such trickery is much more liable to be victimized by one who makes it a trade, than would a person of the same stripe.

His Lordship was asked for his advice, or thought he was being thus solicited. As a gentleman he impudently that his interrogator should be given a courteous reply. He tendered no advice, but simply, in a moderate form, expressed an opinion. That is all there is of it. Any one who censures him for interference in American politics, or for the intent to do so, must surely misunderstand the purport of his letter. It does not appear to bear any such construction.

His Lordship carries his gentlemanly instincts into every phase of this "mare's nest." He says in a straightforward way that he admits the facts and regrets them.

The abuse to which the English minister has been subjected by numerous American newspapers because he unwittingly became the "victim of misplaced confidence," is unfair as it is absurd. To eject into these adverse criticisms all kinds of vile western puns upon his name is an offense that can only be atoned by the perpetrators repenting in sackcloth.

## GERMANY AND PEACE.

THE space of a few weeks this year saw three generations seated upon the imperial throne of Germany, during a period too, when the foreign relations of the empire were in a precarious condition. There were grave fears that such sudden changes on the throne would result in convulsive developments, if not in the destruction of the peace of Europe; but such fears have not as yet been realized. No signal act of administrative authority has yet been performed by the present Emperor which affords a forecast of his temper or policy in respect to peace or war. His career so far since his accession to the sceptre does not afford much ground for surmise as to whether he will be a warlike or a peace-loving ruler. On the one hand his visits to the Czar and King Christian might seem to indicate a desire on his part for the preservation of peaceful relations with his neighbors, were it not for representations that his personal temper is proud, imperious and defiant. His visit to Italy, following Jose upon his tour to Russia and Scandinavia, looked more to preparation for war than prospective peace, for its evident object was to strengthen the alliance existing between Germany and the classic peninsula.

A significant feature of Emperor William's visit to Italy was the strong jealousy between the Pope and King Humbert as to which court the royal tourist should be received at first, the Vatican or Quirinal, and considerable diplomacy had to be employed in arranging the matter. The Emperor called upon King Humbert first, which tended to disappoint and chagrin the Pope. When at length, after having been enthusiastically entertained by King Humbert, Emperor William called upon His Holiness, the latter derived little satisfaction from the interview, for William, in response to the Pope's arguments, stated pointedly that he could render him no assistance towards regaining temporal power.

The meaning of all this is that Emperor William takes sides with King Humbert rather than with the Pope, for the purpose of cementing the friendship between himself and the former, even at the risk of offending the latter, notwithstanding that Austria, with whom Germany is also allied, is a Catholic country. The situation is complicated and peculiar, as between the members of the triple alliance. Germany favors Italy, at the expense of the Pope, knowing that Austria, though in sympathy with the Pope, will be deterred by motives of self-preservation, from retiring from the triple alliance, for the Austro-Russian frontier is now a chess-board upon which troops are moved from time to time, in a watch and guard game. When a Russian corps changes its position, there immediately follows a corresponding movement on the Austrian side of the line.

The frequent and profuse protestations of the Czar that he is anxious to

preserve friendship between his realm and that of William are alone sufficient to indicate the danger of being broken to which that bond is continually subject. There is no permanent basis for the peace now existing between these two nations.

Internally, Germany has two parties, one headed by Bismarck and the other by the dowager empress, which may be termed anti- and pro-English respectively. The followers of the dowager court intimacy with England and English things and influences, as is natural, she being the daughter of Queen Victoria. Bismarck takes a different though not exactly an opposite course. Of course there are different political factions aside from these two, but questions dividing these have been forced into prominence by recent events.

The patriots of the German Empire may well wish that its peace, which means the peace of Europe, were more secure.

## RESULTS OF THE FAIR.

IT is generally impossible for a business house to determine, with even approximate accuracy, the benefits derived from the expenditure of a given sum in advertising; but the business man of today who denies that advertising is beneficial, or even indispensable, is justly regarded as a fossil. So it may be impossible to approximate the actual amount of good resulting from our late fair, but that its effects are highly beneficial and far-reaching, no intelligent citizen of the Territory will deny.

The exposition has been a topic of discussion in all parts of the Territory ever since it took place. Comparisons without number have been drawn between exhibits, and between articles that were shown and others as good or better that were not taken to the fair and displayed. The awards that were made have delighted the recipients more than pecuniary gains would have done, and to many industries and enterprises in various portions of our commonwealth, a hearty and healthful impetus has been given. A better idea of the good which has been done by the fair this year may be derived by a visit to the one to be held a year hence. It is reasonably certain that next year there will be livelier competition among exhibitors and a greater variety of displays. The fair will be kept in view for months before it opens, and preparations for that event will be made with great deliberation and care.

Any motive which creates emulation among the people in making the most of such resources as are within their reach, benefits the country in proportion to the interest which it excites; and civilization has discovered no better plan for stirring up the populace in this manner than the holding of fairs and expositions, at which merit is allowed to win.

No amount of "boom" literature could have conveyed so striking and yet so full and truthful a portrayal of the advantages and resources of Utah, as did the fair. It was there shown what both the drawbacks and advantages of this region are; and that while we have natural wealth in great abundance, time, labor and money are needed to develop it. Every enterprise represented at the fair, and shown to be profitable, was one to which capital and intelligent effort had been devoted before it became profitable. True, in many instances, labor and perseverance comprised the greater part of the original investment, but these are the equivalent of gold. While the fair contained evidence that this is not a land where gold coins dangle in clusters from abundant vines, only waiting to be gathered by the fortune seeker, it also served to show that intelligent and persistent toil, or a wise investment of money, will here meet with generous returns.

## A MISREPRESENTATIVE DOCUMENT.

IN speaking yesterday of the Governor's report to the Secretary of the Interior, we said in relation to a portion of it, that, so far as it is correct, it conveys a fund of information. That was a compliment with a qualification, and the qualification is larger than the compliment.

The document is a political but not in a correct sense a state paper. Its bias is overwhelming. In order to produce an anti-Mormon effect, its author has stooped to the most flagrant misrepresentation. Some of his statements are entirely untrue. We may take occasion to show up some of the untruths of which he has been guilty, but will be satisfied with a sample slander now.

Mr. West strained the truth through a fine sieve in order to make people at a distance believe that there exists in this Territory an exclusive, dominating and tyrannical church influence, which permeates all the relations of life. As evidence to sustain this idea he fired a blank cartridge from a wooden gun at Zion's Co-operative Mercantile Institution, which he characterizes as "A mammoth manufacturing and mercantile corporation with its principal houses located at the capital and branch houses scat-