

## EDITORIALS

## RIGHTS OF PASSENGERS.

THE rights of passengers, notwithstanding the rules and by-laws of railroad and steamboat companies, have been once more sustained by the courts. A student of Harvard College, named Ward McAllister, bought an ordinary limited ticket over the Old Colony Line, from Boston to New York, for \$1. Arriving at Newport, only part of the distance, but to which place the regular fare is \$1.60, he started to go ashore, when he was stopped by an officer of the company and not allowed to leave the boat until he had paid the sixty cents difference in fare. He acceded to the demand, and then brought an action against the company for assault and false imprisonment. The material point of the case was to determine whether a corporation, having agreed to carry a passenger over a through route at a reduced rate, less than that asked for transport to some intermediate station, has a right to prevent the passenger from stopping at that station until he has paid additional fare.

The case was tried and, on appeal, came before Judge Bacon in the Superior Civil Court at Boston, Massachusetts, when the Judge held that companies had no such right. Judgment was therefore rendered in favor of the plaintiff for \$75 and costs, altogether amounting to about \$200.

According to the decision, it seems that a railroad or steamboat company cannot lawfully prevent a passenger from leaving the car or boat at any station, when a regular stop is made for the exchange of passengers. The company may demand the difference in fare between the local and the through rate, and if payment is refused, recover the same in a civil action, but have no other remedy.

## MARRIAGE AND DIVORCE.

OF late the papers east and west have made frequent reference to the subject of divorce. They complain that divorces are increasing, taking up a great deal of the time of the courts, and showing, as they declare, that "a widespread dissatisfaction at present exists among married people." Nathan Allan, in an essay on divorce says, "there is one chance in twelve that a marriage contract once entered into will terminate in a legal separation."

Divorces have become especially notable in New England because of its steady habits, strict religion and general industry—also for its numerical preponderance of women. From 1830 to 1878 there were 2,775 divorces granted in Vermont, 7,233 in Massachusetts and 7,781 in Connecticut. Since the year 1870 no less than 1,936 divorces have been decreed in Rhode Island. These States do not lead the van of the divorce army, the numbers being greater in some other parts of the country, but the figures are remarkable in relation to the localities where half a century ago divorce was a rarity and a scandal.

The loosening of matrimonial bonds is one of the signs of decay in any nation or community. The family is the basis of the commonwealth. If its relations are unstable or insecurely connected, the whole State of which it forms a part is in imminent danger. The history of dead nations shows that their dissolution was largely attributable to licentiousness, the offspring of contempt for marital covenants and obligations. The same cause will produce like effects. The lapse of time will not change the order of nature, nor avert the inevitable results of violated law. Corruption will produce the same results in the United States as in Rome, and in the nineteenth century as surely as in any former age.

As the figures in the divorce scale rise, so does the indicator of the standard of public morals descend. Laxity of sentiment in regard to the sanctity of the marriage contract is a sure sign of a tendency to licentiousness. Where people treat the nuptial tie as inviolable, virtue is likely to be paramount. The increase of divorces in this country is therefore to be viewed with sorrow, if not positive alarm.

One of the chief causes of the loose views that are gaining ground in relation to matrimonial bonds, is the prevalence of the pernicious doctrine that marriage is nothing but a civil contract. Once it was regarded among all professedly Christian communities as a religious obligation. The Catholic claimed it as a sacrament, the Protestant as at least an ordinance of God. The ceremony was an ecclesiastical rite and the officiating priest stood as the supposed representative of Deity, and hence the injunction, from every altar, Papal, Episcopal or Dissenting—"What God hath joined together, let not man put asunder."

But, to-day, the marriage covenant is widely regarded in the same light as a contract to deliver so many bricks for so much money, or to perform a piece of manual work in a given time, or to fulfil any mere commercial or financial bargain. God is thrust out of the transaction. Marriage is declared in the Scriptures to be "ordained of God;" modern law claims that it is "ordained by the State."

Vows lightly made are apt to be lightly broken. Popular opinion makes the sanction of the Church unnecessary, and even when its ceremonies are used in marriage, they are counted as nought but forms, and not essential to the contract. Indeed the idea is gaining ground that ceremonies of any kind, ecclesiastical or secular, are only concessions to society, submitted to for the sake of decorum, and that a mutual agreement between the parties is all that is actually needed to make the contract valid and complete.

What wonder then that people who tire of each other through constant association, who quarrel over some trifling disagreement, who become dazzled by other attractions, who have wedded for money and find it does not bring what they expected, or who are dissatisfied with their condition from any real or imaginary cause, seek without any compunction or idea that there is anything wrong in it, to release themselves from their marital obligations, and avail themselves of the loopholes of the law simply to guard themselves against any legal consequences that might ensue if they paid no attention to the law? The moral aspect of the case cuts but a small figure in the business, and religion is left entirely out of the question. This is a wide departure from the way of the Lord, and is sure to be fruitful of evil results.

The "Mormon" theory of marriage is based on the doctrine that God, as the Father of the human family, has the right to a voice in their matrimonial unions. Whenever he has had a divinely authorized priesthood on earth, He has given those who held the keys thereof the right under prescribed rules to perform ceremonies in the solemnization of matrimony. A proper marriage is the union forever, of persons fitted for each other by natural adaptation, affection and esteem, by the administration of a divinely appointed ordinance. This is the kind of marriage "ordained of God."

When it is entered into, performed and carried out in the spirit thereof it admits of no divorce, either by the act of man or the process of nature. Death does not divide the parties to this eternal contract. When sealed on earth it is sealed in heaven. Its offsprings belong to the parents in the world to come as well as in this life. The family organization thus commenced in mortality reaches into and proceeds in immortality. Death does not them part. Or if it seems so to do, the light of eternity will show that the separation is but seeming. Here is the beginning of a kingdom with a dominion and a glory that are ever increasing and will never end. Numbers cannot give the idea of its extent, words fail to picture its boundless realities, infinite majesty and ineffable bliss. This is celestial marriage, very briefly and imperfectly put. It comprehends and includes, under divinely appointed regulations, the order of plurality of wives, on which we have not space now to descend.

But it may be asked is divorce always wrong? We do not say so. There are circumstances under which those who have been joined in marriage may and perhaps ought to be parted. There are covenants and obligations of a sacred character contingent to and associated with God's holy order of matrimony, and

those who violate them have no valid claim on the power of the crowning contract, with its blessings, that is based upon them.

Speaking in a general sense, divorce is totally unjustifiable on trifling grounds. Unchastity is a sufficient cause, so declared in Holy Writ. And we are of the opinion that it is improper and unrighteous for people to live together and cohabit, where abiding disgust and aversion exist in the place of love and respect. Where such conditions prevail, they are proof that the union was an error, and all grave errors that are capable of adjustment or removal should be rectified or abolished. But it frequently happens that the supposed aversion is only imaginary, or is produced by causes which we have neither space nor inclination at present to discuss, but which if removed would be followed by a renewal of affection. Some of those causes are effectually prevented in plural marriage when it is properly practised, and hence the divorces in plural families are less in proportion than in monogamy.

Divorce should not be so easy of attainment as modern law makes it, neither should it be so lightly treated as modern custom encourages it to be. The consent of parents; the sanction of God; due regard for the fitness of the parties; the abolition of marriages of convenience, whether they be prompted by financial or other mercenary or unworthy considerations; and a clear understanding of the eternal and solemn obligations of the nuptial contract; will do much to prevent the spread of the divorce mania. We do not expect these considerations to prevail in the world, but all Israel should be impressed with the sanctity of the marriage relation, the sacredness of the marriage state, and the eternity of the marriage covenant, so that divorce may be viewed with aversion, and that families may be founded which, cemented by abiding love and by that patience, forbearance, gentleness and charity which are its constituents, may be as enduring as the throne of Jehovah, and bear everlasting fruits as numerous and beautiful as the countless stars that gem the midnight sky.

## THE PERPLEXING PROBLEM.

THE press dispatch reporting an alleged "interview" with our Church immigration agent, Elder W. C. Staines, has attracted considerable attention and some newspaper comment. The *Sacramento Record-Union* has a double leader on the subject, which we reproduce here, omitting merely the introduction. After referring to the large "Mormon" immigration of the present year, in spite of the Evans circular, and to the obligation assumed by the Republican party to "stamp out polygamy," it says:

"The central obstacle to an effective legislation in the premises consists in the erection of polygamy into a religious tenet. If the Mormons were merely experimenting in a new social system, like the Oneida Communists or the Brook Farm eclectics, it would not be difficult to bring them within the law, and to put down their polygamous practices. But when a community undertakes to hold that their religion not only justifies but requires plural marriages, and when every effort to extirpate polygamy results in the creation of fresh sympathy for them as victims of persecution, it becomes a most intricate and bewildering problem. The theory of our Government, moreover, stands in the way of severe measures. Toleration is the principle which has been accepted as the guide in all religious matters, and experience shows that no other principle can with any prospect of harmony be adopted in so mixed a community. It is argued that polygamy is a breach of the civil law, and so it is, but this fact cannot affect the situation materially. We find in Utah precisely the same kind of difficulties which have confronted us at the South. In the latter section the futility of all attempts to enforce laws which are contrary to the prevailing sentiments of the people has been abundantly demonstrated, and a similar passive repudiation of all measures directed against polygamy baffles the Government in Utah.

And it must be recognized further that the support which was formerly derived for anti-polygamous sentiment, from the belief that it was in some way opposed to divine ordinances, has been almost entirely withdrawn of late. It may be doubted whether any earnest or general opposition to the practice could now be established upon such grounds, and this being so, the tendency is inevitably toward a philosophical consideration of the moral significance of the Mormon system. A further cause of embarrassment consists in the fact that whereas all the old theories assume that polygamy is opposed to progress of any kind, the Mormons have succeeded in achieving remarkable industrial results despite this drawback, or as they might say, partly in consequence of it. And though there may be no doubt as to the comparative misery of polygamous relations so far as the women are concerned, it is difficult to insist with profitable emphasis upon this doctrine so long as the women appear determined to uphold the practice even more strenuously than the men. If, therefore, polygamy is indeed a twin evil with slavery, it is a far more difficult evil to deal with, and neither a review of past efforts against it, nor a careful examination of the existing situation, appears to justify sanguine anticipations. Congress has notoriously failed in every attempt to suppress plural marriages, and there is no ground for supposing that the plank just inserted in the Chicago platform will facilitate the disposition of the question. Of course there are plenty of slashing critics ready to maintain that the right way to deal with the matter would be to declare martial law in Utah, and send every polygamist to the penitentiary forthwith, but Congress has already tried drastic remedies, and there remains no doubt as to their failure. In fact cautious and thoughtful observers have long since come to regard the Mormon problem as one of the most perplexing in the whole range of national issues, and whenever statesmen have tried their hands at it they have thenceforward been strongly disposed to give it as wide a berth as possible. We confess that we do not see our way to any practical solution of it, for we believe everything liable to be construed as persecution must strengthen instead of weakening it, and on the other hand, if left to itself, the indications are that in half a century it may dominate the Far West. It is a good subject for those who think they possess political genius to test their powers upon."

This is a very temperate and thoughtful presentation of the case, and is therefore worthy of consideration. The usual method of handling the subject is to load it down with vituperation and obscure it by reckless and incorrect assertion. There are several candid admissions in the article which, however opposed to the statements of the advocates of force, express the views of a large number of thoughtful people who have paid attention to the subject of "Mormonism."

The religious aspect of the polygamy question is indeed the central point of the matter. In spite of the arguments of lawyers and the decisions of courts, the doctrine of celestial marriage, in which plurality of wives is embodied, forms an essential part of the creed of the Church of Jesus Christ of Latter-day Saints. The members of that Church firmly believe in that tenet, and repudiate the pretensions of any secular power, legislative, executive or judicial, to declare what is, or what is not a part of their religion. The root of the matter is in the convictions of the Latter-day Saints. Laws cannot change them; legal legal opinions do not affect them; fines, imprisonment, persecution, violence, however bloody and malignant, will not drive them out of the soul. There they remain, and the fruits thereof will naturally crop out in practical life as opportunities offer.

It is useless to say that polygamy—we use the word because it is generally, though improperly, applied to our system—is not a religious question. The whole subject of marriage is, and has been from the remotest ages, a matter of religion. The degradation of matrimony to the level of a common civil contract is a modern idea, born of irreligion and begotten by false philosophy. Marriage has always been connected with and regulated by the Church, and the attempt to control it entirely by the State, is in violation of one of the great principles of the theory of our Government.

If the practice of our matrimonial views is "a breach of the civil law," the fault is not ours. The law was made for the suppression of that part of our religion, our religion was not framed in violation or defiance of the law; and as the *Record-Union* admits, the fact that our system and the civil law are at variance "does not affect the situation materially." Our faith is a fact, and our practice a religious reality.

The *Record-Union* seems to be in a dilemma. It has no policy to commend. But stating that "The Mormon question is one which does not tend to solution if let alone," acknowledges that of "drastic remedies there remains no doubt as to their failure." The truth is that the passage of the law of '62 was a blunder. Urged on by fanatics and foiled by a defeated polemical anti-polygamy Congress trampled on a constitutional provision in an attempt to please the Puritans. The plank in the Republican platform which placed this obligation on the party, rotten and placed there by sectarian prejudice. Every movement up it has been a false step and has sulted neither in satisfaction nor success.

It being admitted that former ideas, that "polygamy was opposed to divine ordinance" and that it was "opposed to progress" were wrong and had to be abandoned, is it not quite possible, in view of the fact that "women are determined to uphold the practice even more strenuously than the men," the assumed "misery of polygamous relations," and its alleged twinning with slavery may also be erroneous? And since this "Mormon problem" is so perplexing, not only to statesmen and theologians but to editors and scientists, may it not be barely possible that there is truth in it and given in it, which have been overlooked in the riotous onslaught of its destruction, and the blind egotism which took for granted that was wrong because opposed to views and customs of a boasted "Christian" age?

There is only one effectual way to meet this hitherto unsolvable and vexatious "problem." That is, convince these "Mormons" that the religion, of which celestial marriage is only a part though an integral feature, is the fabrication of man and that God has nothing to do with it. For no matter how absurd this may seem to others, the Latter-day Saints, leaders and people, are firmly convinced that Almighty God is the author and revealer of their Church and its doctrines and ordinances, as they are that life and mates their bodies and that light radiates from the sun.

Their practice of an unpopular system, which requires the exercise in a remarkable degree of all the Christian virtues, including self-restraint, patience, endurance and pre-eminent charity, springs from an abiding faith in the divinity of its origin. What can change this except change of conviction? And how can force, abuse, misrepresentation or ridicule produce that change of faith which alone will affect the practice? Before its opponents can reasonably hope to accomplish anything in this direction, they have to understand the "Mormons" their sincerity, devotion, firmness and trust; and give due attention to principles, which are more than assumptions, and to facts, which are stronger than theories. Then, they don't succeed in converting; perhaps we may succeed in converting them; in which case something will be accomplished, while at present the status is as forcibly described by the *Sacramento Record-Union*.

## EDITORIAL NOTES.

Wood ashes are a capital fertilizer for potatoes, supplying the potash which they require.

While working with bees avoid sudden jars, quick, active motion and never frighten them.

A blind girl has excelled all previous members of the fourth class of the high school at Portland, Me. by attaining a rank of 100 in all her studies for one month, except Latin and 98 in that.

Rose cuttings and all other flower cuttings need only clean, moist sand till they have roots to receive nourishment, then leaf mould, or any light, moderately rich soil will answer.