

difficulties between different individuals, a law is made commanding that all children shall be put to death. However it might conduce to the happiness and peace of the individual and society, it would be wrong as to the offspring, and as we have said, the relations of these three orders are such that the discomfort and death of the one would bring about that of the others. If, as in these examples, it can be shown that a man in marrying and cohabiting with more than one woman violates any of the conditions of existence considered singly or in the triangular aspect, then we concede that it is wrong; that it is a fit subject of legislation, and not only should, but can be abolished. Has this ever been shown? We are not aware that it ever has been attempted, and we positively know that it cannot be done. The comparison of those learned (?) judges, of polygamy with human sacrifice, is ridiculous. One is the antipodes of the other, and this comparison is a fair specimen of the logic universally used when attempting to show the immorality of polygamy. Then until some reasonable and rational arguments are advanced, we need not follow this branch of the subject any further, and until then we can afford to rest its morality on the mere assertion, but not being supercilious we will make another assertion: If it can be shown that, considered in itself, it is wrong to marry and cohabit with more than one woman, then we can show that it is wrong to marry and cohabit with even one woman; one conclusion inevitably follows the other, and let it not be forgotten, as we have shown, that municipal law must first establish the criminality of any act physically before it can consider it mentally.

Monogamic laws permit the marrying of another wife after the death of the first. Why should a man be compelled to wait until then if he desires another? Is it not putting a premium upon crime? We believe the facts would bear us out in answering this affirmatively. What is the cause of the enormous increase of divorces in the United States? These are deep seated questions which require more than a temporary gush of moral effusion to answer. We humbly submit them for the consideration of the advocates of monogamic law, together with the facts that polygamy furthers individual life, in that it provides for the variety of physical organization; it furthers the life of the offspring by affording it a safeguard against the excesses of physical vigor during the evolutions of the ovum, the period most susceptible of influence; it furthers the well-being of society by promoting the physical vigor of its units, increasing it numerically and tending to preserve the purity of those sacred family relations which are the base of society, all of which monogamic laws negative.

Polygamy, being in harmony and furthering the triangular aspect conditional to physical existence, cannot violate any of the principles of natural liberty. These being the root and base of the American government, it follows that polygamy is lawful, our judges to the contrary notwithstanding.

The governments of Europe are nearly all based upon the Roman law, civil or ecclesiastical, or both, together with the mixed customs and traditions of the mixed races which initiated them, called the common laws, and may be compared to an old garment that has been mended and patched until there is nothing but patches. This variegated apparel may be acceptable to those whose taste for the gaudy exceeds that for the useful, but to plain common-sense people, it is particularly objectionable, and such people were our Revolutionary fathers and mothers. The establishment of the government of the United States was a new departure in politics; it was the casting off of an old and uncomfortable garment and the putting on of a new and comfortable one suitable to a full development of the natural faculties of man. Hence, the framers of the American Constitution, realizing the necessity of a change, and endowed with a wisdom which even at this distance appears marvellous declared that every man was born, politically, equal into this world, and that every individual had an inalienable right to life, liberty and the pursuit of happiness. Upon this broad platform of national liberty, a government was established, differing, essentially, from all other governments. But it was found that the territory thus acquired was

comparatively speaking, inhabited; therefore, in unison with the liberal principles set forth, laws were enacted offering homes to the oppressed and starving millions of the old world. This offer has been eagerly accepted, and to-day the people of the United States rank from every land and clime, although by far the greater portion come from Europe. Now this heterogeneous mass has brought with it, to a greater or less extent, the ideas and customs impressed by its original government, and as the majority is European, the majority of ideas and customs is of this nature. Hence, at the present time, in the legislative, judicial and executive departments of our government, there is a natural tendency to revert to this original form. Figuratively, we untie the old sack, and from among its dirty and threadbare contents must hunt up some old patch to make our new garment come up to the standard of that propriety which we deem "the thing." Well may we exclaim, Consistency, thou art a jewel!

This government is one that was founded for, and whose very existence depends upon, the maintenance of individual liberty consistent with its maintenance in others. As we have seen, this individual liberty has a physical basis, and we are debarred, municipally, from considering any other; its definition, then, does not depend upon municipal enactment. It has no power to declare wrong an act which is intrinsically right, and vice versa. Its power not being absolute, its duties are likewise limited. Yes, but some will say, this is a republican government, and in a republican government the majority rule. Very well, that we concede. The next question is, How far does this rule extend? It is certainly not almighty; this history flatly contradicts, for we have yet to learn of any successful religious persecution, though prosecuted by large majorities. God is not always on the side of the heaviest cannon. The autocrat of to-day, to-morrow becomes the food of worms. The pulchritude of one generation is the object of derision in the next. The fact that we cannot make every one conform to our standard may be deplored, but we cannot help it. Why, then, attempt it? If greater happiness can be secured by the association of individuals of the same religious belief, surely this can be affected in our large and extensive territory, without trespassing on the liberties of others. From all of which the answer is deduced that the rule of the majority extends as far as the law will allow, and the law must be governed by the physical conditions of existence. If an individual is so constituted that to hear of any one being killed shocks his nerves and causes his death, the law cannot help him. Municipal law does not control war, and killing in all its phases will exist in spite of it. Therefore law has no concern with those elements which impede and destroy life that reach the individual through the mental side.

In the decision of the Supreme Court quoted, it was assumed that the law was right. This assumption is wrong, because in accordance with the wisdom manifested by the founders of our government, this court was organized as a kind of safety-valve in case a majority of members in Congress assembled, impelled by popular clamor or selfish interest, might enact laws subversive of natural liberty, therefore it was clearly its duty to go behind the law and examine its foundation.

The affinity of the sexes depends upon natural law, and upon the proper discharge of the sexual functions rests the perpetuation of the individual, offspring and society. It is therefore the most vital subject of legislation. We are sorry to say that its proper consideration has been treated slightly by legislation generally, though among the nations of the old world due allowance must be made for the influence of Roman law, but in the United States there can be no excuse, and to see the voluminous public documents upon subjects which are comparatively trifling to the exclusion of the most vital one is truly to be deplored. From the intercourse of the sexes flows the stream of life or death, for the physical power and endurance of one generation is predicated upon that of the preceding one, and whatever physical peculiarity is possessed by the one will be transmitted, to a greater or less degree, to the other. But it is not to our purpose, at the present time, to enter into the details of this branch of our subject—we do not wish to suggest the proper mode of procedure, it is a matter

that requires grave and deliberate consideration and exceeds the limits of this paper—therefore, we shall confine ourselves to that branch only which is relevant.

Granting that the relation of the sexes is an individual liberty that can be abused, we grant that it is subject of regulation by the municipal law, but let it not be forgotten that the conceded authority is relative and not absolute. To assume authority by virtue of might is wrong, therefore the regulation is not dependent upon the will of a majority, and no matter what the majority believes religious influences have here no right, it is a question of actual material fact. Now what are the facts? Simply these.

Our present law and the main part of European law on the union of sexes, that is to say, our marriage, originated in the eleventh century, and was first enforced by Hildebrand, afterward Pope Gregory VII, a time when the Roman church was in a state of seething, scalding corruption, and the motives which gave it birth were those of sordid ambition and an infernal greedy lust for power. Truly we have cause to be proud of such law. Now, Congress, moved by this holy (?) influence of eight centuries, was impelled, in the year A.D. 1862, to enact a law against bigamy, which, though we dispute the authority here assumed, we have not the least objection against, but on the contrary, it has our moral assent; but what we do object to is the public display of hypocrisy manifested by the enactment. Here Congress attempted the conjurer's feat of killing two birds with one stone, and under the guise of an excess of moral enthusiasm attempted, by a general law, to strike down the natural liberties of a certain particular portion of members forming the republic. With what success, for reasons that we have shown, history informs us. This attempt to usurp power, followed and confirmed by the Supreme Court of the United States, we venture to say, will be condemned and execrated by posterity.

But what is marriage? It is the contract entered into between a man and a woman, whereby they assume that the individual happiness of each will be furthered. By reason of the contract, the parties assume responsibilities which it becomes the duty of municipal law to enforce. Bear in mind that the law here does not create the obligations; they follow as a natural, legitimate and reasonable consequence. The law does not assume to dictate what particular man or woman we shall marry, nor indeed to say whether we shall marry at all. Now what is this contract? It is an agreement between a man and a woman to cohabit and to assume all the obligations that sequentially follow in so far as is within the power of each. As the results cannot be undone or dissolved, it may well be asked, Can the law undo the contract? But as this is irrelevant to our purpose, we will refrain from answering, and only present the question as food for contemplation in connection with the subject. A man who cohabits with a woman renders her more or less incapable of sustaining her own life; it is proper that he should be made, as far as his physical means extend, to supply this deficiency. Again, in bringing children into the world, they both, individually and collectively, assume obligations which it is the duty of law to enforce.

It will be seen at a glance, that the law as regards the marriage acts as confirmatory of the will of the individual and not directory, and that where it afterwards dictates, it is only in conformity to a contract freely and voluntarily entered into.

Municipal law does not control the law of nature, indeed it is in this respect perfectly helpless. The will of the individual remains beyond the reach of human power. Hence, men and women will cohabit in spite of every human law to the contrary. As well might we limit the number of a man's children as to limit the number of his wives.

A marriage is but a ceremony, then why attempt a persecution against a mere ceremony? To attempt the control of actual, deep-seated actions by superficial means, is an attempt unworthy of, and which the American people should scorn. Besides, how ridiculous it looks for us to attempt the regulation of other people's family relations when we cannot regulate our own.

As far as the law against bigamy is concerned, it has a full and complete sanction, and rest assured that

it shall meet with all the support, moral and physical, in our power, but we object, most strenuously, to the outrageous act of debasing and dishonoring the law by bringing it down to the level of the oriental juggler, which we certainly do, when we attempt to prohibit polygamy through an enactment on bigamy, and the lending of the highest judicial power on the land to narrow prejudice and popular clamor is an act that should be denounced by every American citizen.

BY TELEGRAPH.

THE WESTERN UNION TELEGRAPH LINE.

AMERICAN.

WASHINGTON, 3.—It is understood Secretary Folger will very soon issue a circular of instructions to the proper officers, directing that money due branch lines of subsidy railroads must be paid. It appears the Pacific railroads applied to the President to have the money paid to them under the decision of the Supreme Court, and he referred the matter to the Attorney General for an opinion. It is learned that the opinion of Brewster is that the roads must be paid.

There is no truth in the London rumor that the United States Government has consented to extradite Tynan, Walsh and Sheridan. The Department has not received any communication on the subject.

Sidney Dillon, President of the Union Pacific, has written a long letter to Secretary Teller concerning the claims against his road. He says there is due the company a sum largely in excess of the amount claimed by the Secretary of the Interior to be due the Government, and that any claim of the United States for immediate payment under the Thurman Act must be based either upon the rate of allowance for postal service fixed by the Postoffice Department, which the Supreme Court has rejected, or upon allowance for that service at express rates, as claimed by the company. Adopting the rates thus claimed by the company, the Government is indebted to the road \$2,738,869, a sum far in excess of the amount sought to be received by the Interior Department.

The Hawaiian Minister authorizes a denial of the published statement that the Hawaiian government had adopted a law forbidding the landing of Chinese in that country. He said his government had protested against the embarkation of Chinese at Hong Kong and other ports for Hawaii, and had given notice that steps will be taken to prevent their landing.

The War Department has not as yet received from General Crook a reply to the telegram sent him by General Sherman on the 23rd ultimo, nor has any official information been received regarding his having crossed into Mexico. Press reports that he had passed the boundary line before the cautionary telegram could have reached him, are, however, fully credited at the Department.

The Treasury Department to-day purchased \$85,000 ounces of silver for delivery at the Philadelphia, New Orleans and San Francisco mints.

Sargent writes to the Department of State from Berlin under date of April 13th, that in consequence of reports published in the Continental press that an alarming outbreak of trichinosis, caused by eating American pork, had occurred among the garrison at Tilsit, Germany, he had instructed the nearest consular officer to make an investigation and report the facts. The published statements were positive as to the source of the disease, and stated that thirteen deaths had already occurred. On examination it was found that fourteen cases of trichinosis had occurred among the soldiers of the garrison at Tilsit, all very slight and all the persons attacked had been restored to health. The meat which produced the disease was not issued to the soldiers in their garrison rations, and beyond that fact there was no evidence whatever as to its origin. The general Surgeon of the First Army Corps and the Mayor of Tilsit said it was impossible to obtain any proof as to whether the pork was native or foreign; all that was known was that the soldiers attacked had obtained the meat outside the garrison, probably from their relatives in town. It is probable the meat was the native raw product so largely consumed among the lower classes in Germany.

Owing to bad health, Senor Romero, Mexican Minister, had decided to spend the coming summer traveling in Europe. The Secretary of the Legation will remain as Charge d'Affaires ad interim.

At the Mexican Legation some anxiety seems to be felt that the attitude of the Mexican government in regard to crossing the border by the United States troops in pursuit of hostile Indians should be correctly stated.

It is thought the circumstances under which the orders were issued last Saturday to Gen. Crook, notifying him to adhere strictly to the terms of the convention between the two countries have not been fully explained, and that an impression may be created that the application of this government for a modification of the convention was made some time ago, and refused at the critical moment when Crook had crossed the border.

No official information has been received at the legation of the crossing of Gen. Crook's forces, but it is thought they are already in Mexico, and Gen. Crook's movement was the result of a mutual agreement between him and the Mexican commander, under which it is held the former has been able to enter Mexico with the consent of the Mexican General and the co-operation of the Mexican troops. The opinion is also expressed at the legation that the failure of the Mexican government to accept the modifications proposed in the agreement by the United States will not interfere with the success of Gen. Crook's operations against the Indians.

The government recently purchased 40 acres of land adjoining the present site, for a military depot, at San Antonio, Texas, and will soon begin the expenditure of \$200,000 in the erection of a handsome twelve-company post, and beautifying the grounds for drill and parade, and furnishing it with all the requisites for comfort and convenience, as well as ornament.

CHICAGO, 3.—Daily News Vindicator, Miss.: An explosion in the Refugio Oil Works, one mile below this city, last night, caused the instant death of Minnie Navender, occasioned injury to Tillie and Henry Parks so they cannot recover, and seriously injured watchman Donally and Andy Green, laborers.

Fort Fairfield, Maine, 3.—A fire last night turned twelve families into the street; nine stores and shops burned. It is impossible to estimate the losses at present; all partially insured. Everything burned, from the schoolhouse to the postoffice building.

Halifax, 3.—New Glasgow dispatch: While the men were coming up from work in the Vale mine, the rope broke and the boxes ran down the slope, killing six men.

Vicksburg, 3.—The watchman at the Refugio Oil Mills last night went to the gas vault with some friends as spectators. When the door was opened the gas in the vault rushed out and was ignited by a lantern, and the flames enveloped the party. Two ladies are thought to be fatally burned. The assistant engineer had his ankle broken by the force of the explosion. An employee named Green was badly burned in endeavoring to save the women.

Austin, Texas, 3.—There is considerable apprehension on the lower Rio Grande concerning yellow fever. Governor Ireland received a telegram from the chamber of commerce at Matamoros, Mexico, advising that, should quarantine be necessary this season, the station be established at Bagdad instead of Brownsville. He will consult with the Mexican authorities on the subject.

Pittsburg, 3.—The second conference of the Iron Manufacturers and Amalgamated Association Committee, which was held this afternoon, lasted only 15 minutes.

Freest, Jewett, on behalf of the workmen, stated that no reduction would be accepted.

The manufacturers made no response, but moved to adjourn sine die, which was done. Both committees held secret meetings later, but declined to divulge the proceedings. The workmen profess to believe that the manufacturers will withdraw their demand for a reduction before June 1st, and that no strike will ensue. The manufacturers state that the workmen are mistaken in this view of the case, and if a reduction of 10 to 20 per cent. is not accepted, the mills will be shut down June 1st, and remain closed until the workmen come to terms. The feeling of the general public is gloomy; nearly 100,000 men are employed in the mills of the