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A REVIVAL NEEDED.

It is quite doubtful whether Secretary Daniel Manning will ever resume his duties in the Treasury Department. They are very exacting and his close application and sedentary habits have proved too great a tax upon a system no longer youthful. Manning is a splended political manager, and is a thorough and consistent Democrat. He was recently interviewed on the Home Rule question, and is reported to have made the following remarks in regard to its bearing upon public affairs in the United States:

"It will tend to revive in our own Administration the memory and learning of the Democratic statesmen of the earlier day, who believed and taught that our own experiment of empire on the American continent can only be successful by the maintenance of local autonomy, the severance and distribution of legislative and executive powers over local affairs, and the jealous application among our own States of the principle of the remedy proposed by Mr. Gladstone for Ireland."

That is sound Democratic doctrine Home rule is an essential principle in the system of government established by the founders of this great nation When that is encroached upon there is, so far, a departure from the political faith of the fathers of our country. Local affairs must be regulated by the people of the locality, national affairs by national authority. And the legislative and executive functions must be permitted each to occupy its own sphere without encroachments upon the other. If these distinctions are not observed and maintained, a backward step is taken towards the pit from which this republic was lifted.

The Constitution was framed for the purpose of securing to the people their local rights and liberties, while power was given to national authorities to secure the strength and peace of the Union of commonwealths, that had joined their interests "for the common defence and to promote the general welfare." The powers of the national government were strictly defined and limited therein, so that undue assumptions might be checked, and that the various States and the people might be protected in the free exercise of their political rights and privileges.

But the tendency of the national power for many years has been in the direction of encroachment upon local freedom. And in all probability the movement will continue in that line. It is thought to be progress. If progress is a backward motion it is properly designated. But it is really retrogression. The civil war, while it decided the question of the right of States to secede, and declared the Union perpetual, nevertheless invoked a spirit of national domination which is subversive of that republicanism which was contemplated by the master minds who built up this government. And, as Mr. Manning has intimated, a revival is needed of the memory and doctrines of the great Democratic statesmen of earlier times.

The judicial assumption of monarchial power by the national government over the so-called Territories, is an indication of this departure from primitive Democratic principles. There is nothing either in the letter of the Constitution or in the spirit of our institutions, which warrants the exercise of sovereign powers by Congress over the citizens who dwell beyond the lines of the respective States. The Supreme Court has recognized the rightfulness of this authority, but has not been able to give reasons for its decision, other than those of expediency and the claim that it is too late in the day to question it. Expediency never makes wrong right, and it should never be too late to rectify an error while the power remains to do so.

"Local autonomy" must be maintained or violence is done to the principles of Democratic government. Each political body should of right be allowed to legislate for itself, free from all interference from any other body, while its enactments are not hostile to the Constitution and laws of the land. If not admitted into the Union as an independent State, that body should nevertheless have its own identity as an incipient commonwealth, and the inherent rights of its citizens and the guaranties of the Constitution to the people should not be infringed. If the Territories are outside of the Union, they are not outside of the Constitution, because they are composed of portions of The People, who have reserved rights not given to Congress or any national power.

The endowment of autocratic power upon an appointed Governor is not republican. The absolute veto is a relic of imperialism. It is entirely out of harmony with the system established to secure human freedom. It is opposed to everything democratic. Any attempt to tax citizens by a body in which they have no chance to be represented is equally arbitrary, monarchial and hostile to Democracy. And a project to deprive the people of the right to elect their own officers to conduct their purely local affairs, is the rankest political heresy in a government pretending to be "of the people, by the people and for the people."

Every movement in the shape of special legislation for Utah that has been made in Congress is at discord with American institutions. It is an attempted exercise of power which can find no warrant in the instrument in which all national authority is defined. It is no more like Democracy than Atheism is like Christianity. It is an exercise of superior force, the triumph of might over right. It is the same unrighteous dominion that was exerted by the parent country over the colonies that revolted as soon as strong enough, and the same oppression that led to the revolution in the throes of which this nation was born.

The whole Territorial system is a remnant of that vassalage that was so hateful to the patriots of '76. It ought to be swept away, and be remembered only as a vestige of political servitude, unworthy of the age and of the nation. The Territories should be grouped and admitted as States. There should be no such thing in this broad land as government without the consent of the governed, taxation without representation, or the absence of home rule, the deprivation of local self-government.

But if the domination of the Territories and the exercise of exclusive legislation, arrogated by the General Government over those subdued satrapies, is out of harmony with the institutions of our country, the course pursued toward Utah is a thousandfold more anti-republican. That professed Democrats can not only tolerate it, but join in the oppression, is evidence of the blinding power of prejudice and the mastery over the mind of religious intolerance.

There does indeed require a revival of "the memory and learning of the Democratic statesmen of the earlier day," and a return to the principles of human freedom which shine in the Declaration of Independence like jewels on the brow of the Goddess of Liberty, and which are embodied in the glorious Constitution like vital forces to animate and preserve our governmental system. But this revival is not to be hoped for, among politicians more anxious to please voters than do right, and to work out personal ambitions rather than sustain principles essential to the national welfare. A few patriots hold sacred those axioms and doctrines that formed the political creed of their noble predecessors, but their voices are almost silenced by the din of the multitude of time-servers and policy-mongers. The time for that revival has not yet come. It is reserved for a period not foreseen, and a people whose destiny is now under a cloud.

SUNSET COX COMING HOME.

Sunset Cox used to be the enlivener of the House of Representatives, the spice-box in all legislative cookery, the wit whose sharp tongue aided his party when heavy argument was at a discount. He was a most useful member withal, and New York was always proud of his services. Since he has been Minister to Turkey he has been heard from occasionally, but has not figured in a prominent manner. His sun has seemed to set in the Orient, which is a reversal of the proper course, and there is some talk of the reappearance of the brilliant luminary again in this western atmosphere.

The Ninth District of New York which was very briefly represented by Joseph Pulitzer of the New York *World*, but who found journalism more attractive and profitable than legislation, offers an opening for some energetic Democrat and it is said that Cox will run for the office. Of course to do so he will have to run across the Atlantic, and away from his post and the society of the Sultan. It is rumored that he will resign his position and return in time to take part in the congressional canvass.

Mr. Cox was one of the oldest members in the House of Representatives. That is, his time of service was longer than of nearly any other member. He and Mr. Kelly were equal on this score when he accepted the mission to the land of the crescent. His first appearance in the House was in December, 1857, having been returned from an Ohio district which he represented eight years. He was then elected in New York and commenced to serve in 1869, continuing a member until he resigned to represent this Government in Turkey. This gave him twenty-four years of congressional life.

The genial gentleman has had a good time among the Turks and has been well treated. He has kept his eyes open during his sojourn with the Moslems and has picked up much information on Oriental life. In the July number of the *North American Review* there is an interesting article on the subject of Mohammedan Marriages from his facile pen, which will be found well worth reading. Many persons who thought they knew all about polygamy in Turkey will find that it is quite different to what they imagined, and may obtain different impressions of the customs of that country. It will be learned that the polygamous marriages there are conducted with quite as much care and ceremony and regard for moral considerations as in the pure (?) cities of modern Christendom, and that the common ideas concerning Turks and harems are not entirely consistent with the facts.

Cox is a fine writer as well as a witty speaker and a good legislator, and his return to active political life, we believe, will be hailed by his party in general and New York in particular, with genuine pleasure and satisfaction.

A BLUDGEON FOR BLAINE.

It looks quite likely that the Chief Republican candidate for the Presidency in the coming struggle will be the old time champion, James G. Blaine. Repeated defeats only serve to stir him up for renewed action, and there is no doubt that he wants the nomination of his party. Looking over the field now, he seems to be the most eligible standard-bearer the Republicans can select. For, in spite of the ugly stories that have been partly believed by the public, he is a favorite with many voters because of his undoubted ability and his thorough knowledge and experience of political management. He is more than likely to be put up by the Republicans as their leader in the next presidential campaign.

It is said that the Knights of Labor have a heavy club laid up in soak for the head of the "plumed knight." It is in the shape of a letter, claimed to have been written by Blaine to his workmen during one of the agitations on the labor question, in which he expressed himself in an obnoxious way on the rights of labor and of laborers. It is claimed to be a narrow, contracted, dictatorial missive of a character to injure him in the eyes of all working people, and that the Knights intend to bring it forth at the most convenient time to damage the man of Maine.

We do not think that his opponents should rely a great deal on anything of this kind. The Knights of Labor have declared themselves outside of politics. We do not believe they can remain in that position, nor that they are altogether wise in assuming it. The ballot is a power to any organization in the States, and the Knights will make greater headway when they agree to use their forces in politics than they have ever made heretofore.

But supposing they should bring forward the hidden letter and flourish it in the face of the ambitious James. He is used to handling the letter business and is never at a loss for expedients and explanations. The Mulligan letters are not altogether unknown to fame, and sundry other documents that have been sprung upon Blaine promised to overwhelm him, but never succeeded in greatly disturbing his equanimity.

With all his faults and all his failures, Blaine's prospects for the nomination are bright, and if he is put forward by his party it will take the Democrats all their time, their energies and their ingenuity to defeat him. The letter of the Knights may make a flutter, but it will not prove as much of a settler as some people anticipate.

DEFEAT INEVITABLE.

The defeat of Gladstone on the home rule question appears beyond reasonable doubt. It is a subject pregnant with gloom for Great Britain. Even had the result of the elections been opposite to the inevitable outcome, trouble would still arise out of the question, like a grim and hideous ghost. The antipathy to Britain in the Irish breast is so deep seated as to have become a second Hibernian nature. Consequently there can be no genuine cohesion, which can only exist on the basis of a union of interests and a common sympathy. The latter is so conspicuous for its absence that in the heat of hatred whatever exists of the former is buried out of sight. Home rule would not eradicate the feeling. In fact it is doubtful if any condition would prevent what appears to be the natural ultimatum of the situation—total national severance. That is the point to which the controversy is drifting, and it should not be surprising to hear of the demand being made before a great while. British rule in Ireland is nearly impracticable now; it bids fair to become entirely so. According to the present aspect, a declaration of independence by Ireland does not appear impossible. However, it was a characteristic saying of Beaconsfield's that "It is the impossible that happens." Such a revolutionary step would be in accord with the American-Irish idea, were a favorable opportunity to present. The Russian war-cloud, now only about the size of a man's hand, arising in the East, may furnish it. Russian aggressive movements would doubtless be taken advantage of by Ireland and Irish revolutionary processes would be a valuable auxiliary element in favor of Russian designs. We repeat—the Irish question is pregnant with trouble for Britain.

THE LATEST JUDICIAL RULING.

The Supreme Court of the Territory has again ruled in favor of the segregation trick, by which one offense under the third section of the Edmunds Act can be split up into sections and each made to do duty as a separate offense—carrying the full penalties of the law. The text of the decision will be found in another part of this paper. It is an ingenious apology for cruelty and injustice. It places in the hands of one official—the Prosecuting Attorney, power to say whether an offender against the third section of the Edmunds Act shall be imprisoned for six months or for life.

It rests with the District Attorney to prepare indictments. He can divide up the time during which an accused person is charged with unlawful cohabitation into periods of years, half years, quarters, months, weeks or days, as it suits him. The grand jury does not count. That body becomes the creature of the Attorney. It is selected to indict. If any of its members have conscientious scruples in regard to the schemes of the Attorney, they can be discharged and others chosen who are supposed to be more pliant. A charge, if it be against a "Mormon" for unlawful cohabitation, usually means an indictment. As many counts can be made in it as the Prosecuting Attorney chooses to prepare. Each count, before a trial jury selected to convict, can be made to bring a penalty of six months imprisonment and a fine of three hundred dollars, in the "discretion" of a merciless court. Thus a man for one offense so segregated, may be stripped of his property if he has a fortune and be imprisoned for life, while another for the same offense may be let off with a simple fine or no penalty at all, or if convicted under a single count, at most be punished with a fine of three hundred dollars and six months imprisonment. That is what all the talk in the learned Opinion really amounts to, summed up.

According to a report that went out, the public were led to believe that some extra and wonderful light had been thrown upon the matter in this case. But it appears that so far as the issue is concerned, nothing more was developed than in the Snow case, previously decided by the same Court. The only difference is that in the Snow case separate indictments were found, and in the Groesbeck case separate counts were made in the same indictment. The segregation principle was involved in both, the result is just the same. The Court in this ruling refers to its ruling in the Cannon case as being sustained by the Supreme Court of the United States. Seeing that the higher court withdrew and annulled that ruling, it does not look very ingenuous on the part of the lower court to make such a reference.

The careful reader will observe in this opinion another new definition of the term "unlawful cohabitation." It seems capable of endless variations. The latest is in these words:

"The crime of unlawful cohabitation consists in having or associating with more than one woman as their husband—apparently in the marriage relation—under the semblance thereof."

How long this fresh definition will last, it is impossible to tell, may be till another case comes up before the Court. "Association" now takes the place of the word used in the law. "Cohabitation" is what a man must be charged with, but it need not be proven. "Association" will do just as well in the evidence, although it will not do in the indictment. The difference between the meaning of the two terms is obvious, and the fact that "association" is not in the law although it is injected into the ruling, is strikingly significant.

Notice too that the crime is now made to be in the "appearance" or "semblance" of "the marriage relation." Will not this be a little dangerous for certain "Gentiles" who have been heretofore carefully guarded by the rulings of the courts? If a man has a wife and a mistress, and his association with the latter has the "appearance" or "semblance" of "the marriage relation," is he not just as indictable as a "Mormon" who has two wives with whom he associates in the appearance of the marriage relation? Ah! we forgot one thing. The improbability of the "Gentile's" being indicted, nay the certainty that he will not be disturbed, slipped from our mind on a first examination of this point in the ruling. The law and the rulings are for the "Mormons," of course, that settles the matter. The mistress-keeper is safe.

We do not intend to argue the main question, the segregation business, just now. But the court pretends to state the views of the appellant, and says certain things are "admitted." We do not know who has admitted them, but we know that the position of the opponents of segregation are not fairly stated in the opinion. They hold that only one offense can be charged, up to the time a man is indicted for unlawful cohabitation, but if after that he commits the offense, he may be proceeded against on a new or additional charge.

We did not expect the court to give a different ruling from that in the Snow case. Having the power apparently, to make final decision, it was not to be expected that it would go back on its former Opinion, seeing it was not likely to be passed upon by a higher court. But that it involves a great absurdity as well as rank injustice must be very evident to all who see its consequences and possibilities. However, until some relief is afforded, that absurdity and that injustice will stand as law in Utah, and the victims of the oppressive proceedings that are in progress will have to bear the wrong with as much patience and fortitude as they can command.

OFFICIAL VINDICTIVENESS.

The case of David M. Stuart is one that cannot fail to excite the indignation of every just person who becomes acquainted with the facts. He is an old settler, has labored hard to build up the country, has served the people in several capacities with little or no remuneration, and has traveled many thousands of miles with earnest zeal to enlighten his fellow-men. In his old age, after he has reared a family, but has not acquired wealth, he has been selected as a victim to the strained rulings of vindictive courts under the Edmunds law. Two indictments were found against him for unlawful cohabitation with his wives.

In consequence of an understanding definitely entered into with the prosecution, Brother Stuart was induced to offer no defence against the first indictment, the agreement being to the effect that if he would take this course the other indictment should not be pressed. He went to the penitentiary, served the full term of imprisonment and thirty days extra because unable to pay the fine, and on Thursday was liberated after taking the oath that he had no property from which the fine could be collected. Before he could fairly breathe the air of liberty he was re-arrested, and placed under bonds to appear at 2 o'clock Friday—to-day—to answer to the second indictment.

This malignant pursuit of the gentleman shows the animus of the prosecuting officer and the fiendish venom with which this persecution of the "Mormons" is conducted. No good purpose is served by this severity. It is cruelty without a cause. Will society be bettered in any way by this exhibition of spleen and exercise of arbitrary power? Has the country or the Territory been purified or improved in the least by his incarceration? Will any one be coerced by it into doing what courts and prosecutors and bigots generally desire? Not at all. Such proceedings only fire the "Mormon" heart with zeal for the faith and with despising for their heartless persecutors.

When added to this needless vengeance upon this worthy man is the violation of a square understanding, equal to a contract, that his submission to the first indictment should bring him clemency as to the second, the case appears in a still more shameful light. The double indictment was an outrage, let biased courts rule as they will. The full sentence upon a defendant that offered no resistance, was unnecessarily severe. But this re-arrest is utterly contemptible, and shows that the agreement concerning the second indictment was a fraud and a snare, and that the word of the person who made it is not worth the shadow of a rotten straw.

The whole community will sympathize with Brother Stuart in his difficulties and will aid him, no doubt, in a vigorous defence if he decides to resist this second attack upon his liberty, which may prove an assault upon his life as well as upon his home and family.

OFFICIAL SLANDER AND ABUSE.

The case of Alonzo E. Hyde, before Commissioner McKay on Friday, developed a little more of the spirit in which prosecutions under the Edmunds Act are conducted. There was absolutely nothing adduced in evidence that went to show in the remotest manner that the accused had violated the law. District Attorney Dickson, becoming enraged at his failure, attacked and abused his own witnesses, charging them with perjury because they did not give the testimony he desired and expected. He then demanded that the defendant be held, not on the ground that the evidence justified his detention, but on the plea that the witnesses in the prosecution were perjured! Was ever such an argument made by a sane person before in a court of justice?

"Justice" is the term we have used, but the word is entirely out of place in the court of McKay. That mercenary official said he was "not going to lose jurisdiction of this case" and so adjourned it, announcing that he should do so from time to time as far as the statute allowed. This too, after the case was closed and submitted. There was absolutely nothing to hold the de-