EDITORIALS.

PATRIARCHAL PRINCIPLES AND ST. LOUIS MORALITY.

THE St. Louis *Republican* counsels "rigorous and persistent action on the part of the Federal authorities" in order to "get rid of the patriarchal principles and practices of the Latter-day Saints."

Perhaps the editors of that journal, published in the immaculate city of St. Louis, where prostitution is so common that the municipal authorities, unable or undesirous "to get rid of it," adopted the Parisian system of licensing the foul and deadly corruption, will kindly inform the public in what manner Federal action, no matter how vigorous and persistent, can be brought to bear so as "to get rid of patriarchal *principles*." The *Republican* says: "If the existing laws are not sufficient, then Congress should pass others that will be." But all the laws that can be enacted will never affect a principle. The Latter-day Saints may be hounded by professing Christian attorneys and judges, and, through unfair twistings of the law, unjust rulings and packed juries, be sent to prison for carrying out principles which the holy patriarchs practised under divine approbation, but these principles will still remain, unchanged by Federal law, untouched by Methodist bigotry, unsullied by the vaporings of the champions of licensed prostitution.

One of the principles of the ancient patriarchal system as believed in by the Latter-day Saints is, that marriage should be encouraged and sexual intercourse outside of that relation be discouraged and punished. To give effect to this principle, regulations were established among the patriarchs and have been adopted by the Latter-day Saints, by which all marriageble women might have an opportunity of obtaining husbands, and consequently be placed out of the danger of improper sexual relations through the arts of evil men who prey upon the weaker sex. If every man would marry a wife, polygamy would necessarily be rare. But men are more lawless and of stronger passion than the weaker sex, and many therefore prefer not to marry, while few women choose a life of celibacy. Marriage regulates passion and brings responsibilities that curb the license which some men call liberty; therefore they reject its restraints and seek to escape its liabilities. Not so with women. As a rule they are guided by the natural inclination that tends to honorable maternity, which sanctifies desire and is one object of their creation. It is usually through the lust of the stronger sex that they are ever led from the path of principle and duty. The patriarchal system permits a marrying man to espouse more wives than one, thus providing for all women who wish to marry, protecting them from non-marrying men, and preventing any necessity of their union with men whom they cannot receive from choice.

We are sorry for those who cannot see good in such a principle and the benefits of such a system. We pity those whose minds are so corrupt, and whose own inclinations are so vile, that they can impute to the patriarchs of old and the plurality practisers of the present, no other motives than those of licentious desire, and whose only idea of marriage seems to be that of a vehicle for animal gratification. They are unfit for the pure and loving conditions of holy matrimony, their judgment of others is founded upon their own degraded condition, and they furnish in their expressions concerning plurality, one of the strongest arguments in its favor, for no pure-souled woman ought to be bound in union with their kind, and the way should therefore be open for the good to gain the fair.

But whatever views may be taken of the theory and whatever proceedings may be taken against the practice of patriarchal marriage, the principle cannot be "got rid of" either by legislation, persecution or the denunciation of preachers and editors.

The *Republican* says further: "Polygamy being a crime, why not proceed against it as we do against other crimes?" That's just what we want to know. Suppose that an act not evil in itself, through the bigoted machinations of sectarian intolerance, is manufactured into a crime by Act of Congress, why should the recognized rules of jurisprudence be disregarded and special means, denounced in all civilized nations as irregular and unlawful, be used against that so-called crime? Why should jurors be excluded for confessing a certain religious belief? Why should evidence be admitted that precedent says should be discarded? Why should witnesses who would testify anything in rebuttal of false statements made in court be prevented from uttering a word? Why should juries be packed to convict, and judges lean over heavily on the side of the prosecution and close their eyes to justice and their lips against a fair explanation of the law? Why, indeed.

When men are sworn to a certain duty we make no complaint about their lawful and regular proceedings against that which the law has made a criminal offense. It is untrue to say the "Mormons" cry out against the enforcement of the law. We complain of illegal methods, not against legal action. We protest against the adoption in court of rules which Congress has refused time and again to stamp with the authority of law. And we have the right to cry out against such a perversion of justice, and such a burlesque upon a trial by jury.

Finally, the *Republican* speaks of our polygamy as "an insult not only to American civilization, but to American statesmanship." Well, we say that St. Louis morality, in addition to all this, is a disgrace to common decency. The story of the vileness of the city where the *Republican* flourishes is too foul to tell in the columns of a respectable newspaper. The depravity of that stronghold of sexual sin is as damning as the wickedness of the doomed cities now blotted out by the waters of the Dead Sea. Added to the open traffic in polluted virtue usual in Christian centres, the St. Louis *Times-Journal* thus describes another of its corruptions:

"It is carried on in broad daylight upon the main thoroughfares, in book stores, saloons and offices, evoking the indignation of all persons with the slightest claim to decency.

Little girls, of ages ranging from seven to eleven, bright-faced, short-frocked and scantily-clad, with their breasts, arms and legs exposed and carrying empty baskets, have invaded offices, stores and saloons during business hours the past week offering for sale photographs at five cents each. Such is the ostensible nature of their calling.

Two of these little girls entered the *Times-Journal* counting room, Saturday afternoon. With the boldness and effrontery of women steeped in sin and shame of the vilest degree these children thrust their ostensible wares in the face of the business manager. A few minutes later they walked into the parlor of a Fifth Street saloon, and plunged into the center of a group, offering their photographs for sale in terms suggestive of a horrible and shameful negotiation.* * Children of tender years are sent out daily from the lowest houses of prostitution in this city to pander to the beastly appetites of a class of persons to be found in offices, stores and public buildings, whose lustful inclinations would heap shame upon Sodom and Gomorrah. * * A viler form of prostitution could scarcely be conceived, but the demand is held to be in excess of the supply, and an Almond street bagnio proprietor was heard to boast openly a day or two since that "the business could only be made to pay now-a-days but for chicks."

We have starred some passages in the above, too nasty for this paper. Now let it be understood that the city where the *Republican* utters its anathemas on plural marriage has officially recognized and legislated to regulate, not suppress prostitution. Utah, as a Territory, does not recognize plural marriage. That system is under religious direction, and not State control. The nation then rightly has nothing to do with it. It comes within the purview of the Church. But the St. Louis abomination is protected by statesmanship and upheld by civil ordinance. Conceding, for argument's sake, all that the enemies of plural marriage can say against it, which is the greater insult to American civilization and American statesmanship, the social order of plural marriage or the license of St. Louis whoredom?

Satan must laugh as he listens to the cant and gazes upon the hypocrisy of whining preachers and scoffing scribes hooting at the "Mormons" for marrying wives and caring for their offspring, while debauchery of the basest kind flows all around them in fœtid streams abhorred of heaven and pestilent to earth. It is time that "patriarchal principles" were introduced, and that those kind of patraiarchal practices were returned to, which made marriage honorable but inflicted capital punishment upon the crimes common in the neighborhood of the saintly St. Louis *Republican*.

THE PONCA INDIANS AND THE NEWSPAPERS.

A HIGHER Court of the United States having refused to hear the appeal in the *habeas corpus* case of the Ponca Indians, who were discharged by Judge Dundy without any bond for their appearance, many newspapers are discussing the question of the general effects of Judge Dundy's decision. There appears to be much misunderstanding of the subject. The opinion seems to prevail that, as the matter now stands, any of the Indian tribes may leave their reservations and roam at will over any part of the country, unchecked by any lawful power in the United States.

We do not so understand the situation. To make the matter plain, it will be necessary to give some account of the case. A small tribe of peaceable Indians in Nebraska, called the Poncas, were ordered to remove to the Indian Territory. The order came from some underlings in the Interior Department, and the execution of the mandate devolved upon the War Department. Some resistance was offered by the unfortunate redskins, but of course without avail, and they were driven to the reservation on the Indian Territory to make way for some of the "superior race," who coveted the lands the Poncas had occupied. The country on which these Indians were forced to locate was a most unhealthy place, and unsuited to Indian modes of life. The provisions doled out to them were insufficient, the water was bad, the air was full of malarious poison, and in a short time death put an end to the sufferings of at least one third of their number.

Determined to endure this injustice no longer, Standing Bear at the head of the sickly and half-starved remnant of his tribe, started with them on the back trail for Nebraska. On their way cold, fatigue, hunger and hostile members of other tribes terribly decimated their ranks, and when they reached the place of their former home they were in a deplorable condition. Gen. Crook was on the spot ready to carry out the orders of the Department — for which no blame is to be attached to him, as he merely acted upon instructions received—and they were manacled and started again on the path to the region of certain death. The miserable band halted at Omaha on the way to the reservation, when several gentlemen, among whom were a member of the *Herald's* editorial staff and some Omaha lawyers, united in an attempt to procure justice for the outraged redskins. Mr. H. Tibbles of the *Herald* sued out a writ of *habeas corpus* and the lawyers agreed to plead the case. The writ was issued, the march of the Indians was stopped, and after a gallant legal fight in Judge Dun y's court, the chivalrous attorneys, of whom J. L. Webster and N. J. Poppleton were chief, gained the day, and the Poncas were set at liberty. The points decided in the Judge's ruling were:

"First—That an Indian is a person within the meaning of the laws of the United States, and has, therefore, the right to sue out a writ of habeas corpus in a federal court and before a federal judge in all cases where he may be confined or in custody under color of the authority of the United States, or where he is restrained of liberty in violation of the Constitution or laws."

Second—That General Crook, the respondent, being commander of the military department of the Platte, has custody of the relators, under color of the authority of the United States and in violation of the laws thereof.

Third—That no rightful authority exists for removing by force any of these Poncas to the Indian Territory, as General Crook has been ordered to do.

Fourth—Indians possess the inherent right of expatriation as well as the more fortunate white race, and have the inalienable right to life and liberty and the pursuit of happiness, so long as they obey the laws and do not trespass on forbidden ground.

Fifth—Being restrained of liberty under color of the authority of the United States and in violation of the laws thereof, the relators must be discharged from custody, and it is so ordered."

Jumping at conclusions unwarranted by anything in this decision, many editors have become excited and have consequently uttered a great deal of nonsense. The *New North-West*, for instance, has a long leader on the necessity of new laws governing Indian affairs, based on a misconception of this subject. We have room only for a paragraph:

"The decision in the case of the Ponca Indians, recently rendered by Judge Dundy of the United States District Court for the District of Nebraska, wherein he holds that under the laws of the United States there is no power to restrain Indians to their reservation, has again called attention to the struggling settlers of the West, to the meager provisions made by the general government for their protection against lawless Indians, and the lameness, not to say imbecility, manifested always by our nation in the management of its Indian affairs. The decision, as a legal proposition, was undoutedly correct. That Indians can leave their reservation whenever they please and go where they wish is not the fault of the *Courts, or of the President*, or of those officers having charge of Indian affairs. The fault is in the laws."

If it is claimed that the paper above named is not a leading journal and therefore its opinion is not remarkable, we will clip from a long article in the New York *Herald* on the same subject:

"If this judgment is not merely legal moonshine—if it is good law—it will apparently follow as a certain consequence that there is no warrant whatever in law for the very existence of the reservation system or for any part of the present system of official relations between tha government and the Indians."

Now the decision of Judge Dundy affects only the Poncas, and such other tribes of Indians similarly treated, with whom the Government has made no treaty requiring their confinement to a reservation. It must be understood that the Poncas belonged to no reservation. They were in the same condition as the remnants of bands of Indians who located on Bear River in this Territory some time ago, and were driven from their homes and unreaped crops by the soldiers under Executive orders and required to move to Fort Hall. They did not belong to that reservation. They were cultivating the soil and raising instead of begging their bread. They were quiet, inoffensive, anxious to learn the industry of civilization, and stupidity allied to brutality and bigotry forced them from their crops just ready for the harvest, and from lands a portion of which some of them had entered under the pre-emption laws of the United States. It was a dastardly deed, for which there was not the slightest possible excuse, as no one believed the ridiculous story told by a few Corinne speculators for the purpose of getting some troops quartered among them, and thus reviving for a little while the life and fortunes of their dying village.

Judge Dundy's decision has no reference to the power of the Government to keep on their respective reservations the tribes with whom it has made treaties, and who have by those treaties agreed to reside upon such reservations. Here are the Judge's own remarks in explanation of this point:

"As there is no law of the United States or treaty stipulation setting apart a reservation in Indian Territory for these Indians, nor for moving them thereto, nor keeping them thereon, they cannot be removed and kept there by force for the one reason that no law or treaty in any way authorizes this to be done, and the decision is based upon that idea alone. It is not claimed in the opinion that Congress might not authorize this, or treaty be made which would justify a resort to force, but simply that no such authority has ever been conferred so far as these particular Ponca Indians are concerned. Of course it is not claimed that the same rule would apply to Indian tribes having reservations to which their treaties require them to remove and remain thereon."

The simple fact is that a great blunder was made in reference to the Poncas, and a terrible wrong was inflicted upon them for which justice demands that all the recompense possible should be made. The Government cannot restore to them the braves, squaws and pappooses, starved, frozen or hurried by disease into premature graves. But it can make some material compensation to the outraged people who have been so frightfully imposed upon, as its own laws, enunciated by its own judicial authority make plain beyond the shadow of a doubt.

The Indians are *human* beings; *degraded, ignorant, repulsive* it is true. But they have rights which the Government and the advanced races of mankind are in duty bound to respect. And if a proper course were pursued towards them, many could be reclaimed from their savage state and trained to be decent and profitable citizens. That they have sympathies and feelings which are at least as humane as exist in the bosoms of their "Christian" conquerors, is shown by the following appeal from the Omahas, which was forwarded from their agency by Charles P. Morgan, Indian interpreter, while the Poncas were in custody, and signed by twenty well known braves of the Omaha tribe:

"We, the undersigned, Omaha Indians, for ourselves and in behalf of the Omaha tribe, wish publicly to declare that, in consideration of the relationship existing between our tribe and those Poncas, and under a sense of the dictates of common humanity to our race, we are anxious for their return to our reservation. We are willing to share with them our lands and to assist them until they can, by their industry support themselves. They are our brothers and sisters, our uncles and our cousins, and although we are called savages, we feel that sympathy for our persecuted brethren that should characterize Christians, and are willing to share what we possess with them if they can only be allowed to return and labor, improve and provide for themselves, where they may live in peace, enjoying good health and the opportunity of educating their children up to a higher state of civilization.

They came here to our reservation about the first of March from the Indian Territory, and as they believe, from the jaws of death even bringing sickness with them. We received them kindly and hospitably, and offered them such assistance as we could in the way of land to raise a crop this summer and they were preparing to go to work to sow and plant, when they were arrested and taken from us by soldiers, without any just cause or provocation that we or they know of.

Having learned with thankfulness that the good people of Omaha and the friends of humanity and justice deeply sympathized and enlisted in the cause of the Poncas we feel encouraged to appeal to you for a continuance of your efforts in their behalf, until their right to live among their friends and brothers and enjoy the fruits of their labor is restored to them."

The Eternal Ruler will have a fearful reckoning with those who are responsible for the treacherous, unhallowed and unjustifiable course pursued towards the primal owners of the soil, and the whole nation will be called to account unless a different policy is demanded and pursued. We agree with those papers which denounce the wrongs inflicted upon the defrauded redskins, but we consider them greatly in error in their judgment of the effects to result from the ruling in the case of the Poncas.