DESERET EVENING NEWS

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SALT LAKE CITY, JANUARY 28, 1899.

ELECTING U. S. SENATORS.

A valued correspondent in an adjoining county, tells out very plainly about the thing that he considers has been carried by the Legislature over the election of a United States Senator. He calls the proceedings "a farce" and adds that in the struggle, "would-be orators and should-be legislators."

One of the easiest things to do is to find fault. While there may be some somebodies open to censure for not satisfying the critics in their vicinity, we have no doubt the majority have endeavored to perform their duty according to their best understanding. To a person who is not engaged in legislative work and is but an onlooker, it may seem provoking and useless to prolong the discussion and debate over the Senatorship, that when a legislator is placed where responsibility rests upon him, and he is guided by his own honest opinions and the wishes of many of his constituents, his position is onerous and he is liable to be misjudged by those who are not so situated.

One correspondent wants to know what is being done towards changing the present method of choosing United States Senators. He should be informed that no change can take place without an amendment to the Constitution of the United States. Bills have been introduced into Congress from time to time for that purpose, but so far nothing has been done towards placing the matter before the country. In the only lawful and practical way of settling the question.

But public sentiment is being aroused, and the trend is towards a demand for the election of United States Senators by popular vote. When it becomes sufficiently forcible and extensive there will be, no doubt, some legislation by Congress, followed by the expression of the peoples will for the necessary change.

A movement in this direction has been taken in the Utah Legislature, by the introduction of a memorial to Congress, asking that body to enact the needful legislation for the submitting of the proposition to the Legislatures of the several States. Senator Hardin Henderson presented it on Friday, and it will probably receive favorable attention.

Amending the Constitution is a serious step, which will be and ought to be approached with caution. Tinkering with that sacred instrument should not be encouraged. Only for the gravest reasons, commonly understood, should it be added to or taken from, and then the change must be made according to its own precisions as to the method.

We are of the opinion, however, that the mode of choosing United States Senators could be changed to the advantage of the people, and that the change will come in due season. Meanwhile the subject should be discussed throughout the country, and the views of the wisest and most conservative citizens as well as of reformers and agitators should be obtained and well considered.

"MORMONS" MOBBED.

Today's dispatches give an account of the mobbing of "Mormons" in Bristol, England, which shows the strong spirit of religious intolerance that prevails among some of the people in that honorable town. According to the London story, a mob organized by an anti-"Mormon" league attacked the Saints while they were engaged in religious service, smashed the windows, stoned and shot at the Elders, and used such violence that the police had to interfere, and two lady missionaries from Utah had to take refuge in the police station.

The date of the alleged disturbance is not given in the dispatch, but it occurred, as is quite possible, it probably was on Sunday, Jan. 15, when the Saints held conference at 6a old Baptist street, Bristol. Elder Herbert L. Jacob, mentioned in the cabled account, is President of the Conference, and two other Elders from this city, Alonzo Hatfield and George Gardner, of the Twenty-second Ward, have been laboring as missionaries in Bristol. The statement that there were five women conducting meetings in the building can refer to Sisters Knight of Provo, and Chipman of Ammon, Utah, who formerly were in the station field in Great Britain but later were transferred to London, were at Bristol for a few days, and were also several Elders other than those named.

Notwithstanding the apparent extent of the alleged mobbing, however, it is certain that no serious personal injury was inflicted on the "Mormons," as information of anything of that kind would have been cabled from Liverpool at once to the Church authorities here. Therefore the relatives and friends of the missionaries need not feel anxious for their safety.

As for the British disturbances, the events related in the London cablegram are not the first of the kind, though they may have been the culmination of proceedings that called for the attention of the police. There have been several efforts to break up "Mormon" meetings by the coarser class of people, acting under the leadership and at the instigation of local Protestant preachers, whose spirit of moderacy above commentary that they are not led by the precepts of the Christian religion, which they profess to teach.

ANSWERS TO QUESTIONS.

A correspondent asks the Deseret News whether the new translation of the Holy Scriptures, referred to in Doctrine and Covenants Section 124, verse 89, has ever been printed.

No. That is to say, the Church has not published the "new translation" therein mentioned, because it was the intention of the Prophet Joseph Smith to carefully revise the entire work before giving it to the world, and his martyrdom prevented that necessary revision. In its unrevised state, the "translation" of Joseph's inspired work ought to be regarded as authentic and authoritative by the Church of Jesus Christ of Latter-day Saints.

A controversy has arisen in some places as to whether the Apostles of Jesus Christ had the Holy Ghost previous to the day of Pentecost. Some persons claim that they did not, and others argue that they could not preach the Gospel, heal the sick and perform the work of the ministry without that spirit. The Deseret News is requested to settle the dispute.

The Apostles were commanded to tarry at Jerusalem until they were endowed with power from on high, before they went out into all the world to preach the Gospel to every creature. Jesus had promised them to send the Comforter after he went away, which was to "teach them all things" and "bring them all things to their remembrance." The Father and the Son, it is written also, "For the Holy Ghost was not yet given because that Jesus was not yet glorified." (John VII: 39). These and other quotations that might be made would lead us to the idea that the Apostles did not receive the Holy Ghost in the manner promised by the Savior until the day of Pentecost. Yet they testified and preached and performed ministerial labors, which give evidence that they were led by the Holy Spirit.

The solution of the problem is in this: The Holy Spirit is given to all as the spirit of life and light. The Apostles received it in an increased degree when called by Christ to the ministry. But the outpouring and manifestation on the day of Pentecost was a higher enlightenment still, and was accompanied by the promise of The Comforter. The Holy Ghost was then bestowed as a gift, to be the "abiding witness," the "anointing from above," the full qualification for the work assigned them by the Master.

Another dispute which we are requested to settle is this: There are some persons who contend that Deacons and Teachers, also Elders and Seventies, hold no Priesthood, but that they are only appendages thereto, the Priest and High Priest alone, in fact, having any Priesthood, while others hold to the contrary.

It is true that it is stated in the Doctrine and Covenants that "the offices of Elder and Bishop are necessary appendages belonging unto the High Priesthood" also that "the offices of Teacher and Deacon are necessary appendages belonging to the Lesser Priesthood." But this does not justify the inference that the Deacon, the Teacher, the Bishop, and the Elder have no Priesthood. By that rule of reasoning the Lesser Priesthood, including the office of Bishop and Priest, has no real, actual existence, for it is also said that "the Lesser Priesthood is an appendage to the Greater or Melchizedek Priesthood." (Sec. 107: 14.) When a person is ordained a Deacon he holds an office in the Aaronic Priesthood, and so with a Teacher. When a man is ordained an Elder he holds an office in the Melchizedek Priesthood. Each of these offices has distinct functions and duties, which are defined in the revelations on Priesthood, Sections 84 and 107 of the Doctrine and Covenants relate to the Priesthood, the latter especially and entirely. Deacons and Teachers are spoken of as part of the Lesser, and Elders as part of the Higher Priesthood. They have to be ordained by the laying on of hands to the ministry and calling which belong to the Priesthood. It is only by taking an isolated passage or expression, here and there, that the notion could be asserted which has given rise to such a dispute.

We are asked to reconcile the statement in the Mormon Empire-period Manual for 1898-9, page 18, that neither Barnabas, Silas nor Apollos was an Apostle, and Acts xiv: 14, which calls Barnabas and Paul apostles. The term apostle is used in the New Testament to signify a messenger or "one sent." It does not always carry the full signification of one of the Twelve Apostles. The term as used in Acts xiv, when read in the original simply signifies a Gospel messenger. There is no evidence that we are aware of, that Barnabas was one of the Seventy or Council of the Twelve Apostles. In the Church at the latter days the term Apostle has a definite signification, meaning one who has been ordained as such by a quorum holding the fulness of the Melchizedek Priesthood. Even be our not, in every case, be one of the Council or quorum of the Twelve Apostles.

The office of Seventy being an appendage under the Apostleship, persons holding it are sometimes called "Apostles of the Seventy," because they act under the direction of the Twelve and officiate where the Twelve are not able to be present in person. Hence, Joseph Smith, Brigham Young, Heber C. Kimball, Joseph F. Smith, and other leaders, have had the same keys, power and authority as if they were Apostles in the same sense as the Twelve.

Many of the difficulties which arise in the study of the doctrines and discipline of the Church will vanish, when the students desire simply to arrive at the truth and are not too tenacious of their own personal views and opinions. We hope the foregoing will prove satisfactory to our inquiring friends.

"MILLENNIAL DAWN."

A Denver paper says a novel fact known as the "Millennial Dawn" is gaining adherents in that city. The essence of the Twelve points held by these people is this: That "heaven" is to be on this earth in the near age of the world. One of the exponents of the new doctrine thus as follows:

When God said the world would be destroyed He did not mean the living world, but the social order and arrangement. The social arrangement of the antediluvian times was wiped out by the flood. This was followed by the Jewish age, then the Gospel age and next will come the time of restitution. Christians have always had difficulty in explaining how the souls of those who died before the coming of Christ, the wicked Antediluvians and others were to be saved, they never having heard the Gospel. This new system the difficulty vanishes. In the next or millennial age those people will come to life again and hear the truth. If then they heed it not they will be punished.

We fancy other nots will soon be up in arms against a preacher who dares to prophesy the end of the "present social arrangement," and the possibility of salvation for those already consigned by a kind orthodoxy, to eternal torture.

THE MOST IMPORTANT EVENT.

A German periodical opens an interesting controversy by asking: What work or what event of the nineteenth century is of the most importance? The interrogatory is replied to in various ways, depending on the different points of view from which the retrospect of the past one hundred years is taken. Some hold that the unification of Germany is the great event. Others suggest that the Darwinian theory should have the first place in the annals of the century. The discovery of electricity, or of steam, is by some held to be of chief importance, while others prefer the achievements of astronomy. One lady points to the czar's circulars as the most striking event, while other ladies so designate the Dreyfus accusation.

We are not too near the various incidents here mentioned to estimate their relative importance to coming centuries, since, obviously, this depends entirely upon future results. A contemporary of Moses, for instance, would hardly, unless endowed with the gift of a Seer, have recorded the finding of a babe in the bulrushes of the Nile, by a princess, as the great event of that age. Nor would a common historian have chronicled the birth of Christ in a great Nazarene as the central point in human history. Many events pass unnoticed, comparatively, by contemporaneous spectators, because their importance is clearly seen only through the results manifesting as ages pass by.

The most competent historical judges of this century are yet to come, but when they shall have all the evidence before them, they will unquestionably render the decision, that the divine calling of the Prophet Joseph to the ministry was, from every point of view, the greatest event of the nineteenth century.

FOR THE SAINTS IN COPENHAGEN.

Elder Anthon H. Lund, of the Council of the Apostles, and Elder C. D. Fjeldsted, of the First Council of Seventies, appeal, through the Scandinavian paper published in this city, to the Scandinavian Saints in Utah for contributions for the purpose of purchasing at Copenhagen, Denmark, a tastefully located piece of property, to be used as a meeting house for the Saints and as headquarters of the Scandinavian mission. Less than $3,500 is needed, and it is believed this sum can be raised without difficulty if the Scandinavian Saints make a united effort. The contributions will be received and accounted for by Elder A. W. Carlson, 2. C. M. I., Salt Lake City, and the brethren presiding over the Scandinavian religious meetings in the various Stakes are requested to lay the matter before the people.

The Saints in Christiania, Norway, have for many years secured a place of worship in that city and much of their success is due to that fact. In Copenhagen the need of such a place has for a long time been acknowledged by all acquainted with the circumstances. The opportunity now offered should not be neglected.

Another city, where a suitable place of worship for the Saints is needed is Stockholm, the capital of Sweden. The present headquarters there are far from desirable. There is no reason why the Scandinavians in Utah should not see to it that the missionaries in the largest cities of their native countries can preach the Gospel of salvation in halls to which they may, without apology, invite refined and cultured people. The Baptists and Methodists of the United States and Great Britain aided their brethren in erecting suitable buildings in Scandinavia, and the results were visible at once.

To some the sending of money away for foreign consumption is objectionable, and not without good reason. But there is another side to this. The money does not go all one way. The representative of the Danish government in Utah, Hans Jensen, has stated that during the years of his office, he has handled probably a million dollars sent from Scandinavia to heirs of deceased persons. If this is so, Scandinavia here can afford to send a few dollars back for so good a purpose as that, in behalf of which their generosity is now appealed to.

POLITICAL SCIENCE.

In this article, the fourth of the series, some comparisons are made upon the right of trial by jury.

One of the violations of constitutional right of which the American colonists complained to the British crown and Parliament was, depriving the right to trial by a jury of the vicinage in some cases, and providing for a transportation of persons accused of crimes in America for trial in Great Britain.

Trial by jury dates from early times. In 1070, in England, twelve men were elected in every county to swear to their laws and customs; the information on which Domesday Book was based was obtained in this way. In the time of Henry II, any one whom claim to land was disputed, could refuse trial by battle, and have twelve knights of the neighborhood chosen to decide the dispute. If they were not unanimous, or if some of them were ignorant of the facts, other knights were chosen until twelve unanimous recognitions were found. This was the origin of our civil jury system.

The early history of the criminal jury is obscure. By the Assize of Northampton, 1176, it was assumed before the king's justices, of murder, theft, robbery, forgery, arson, and the like, by the oath of twelve men, were to go to the ordeal of water. Ordeal was a company which took place in a church and usually consisted in walking over, or handling, red-hot iron, or plunging the arm into boiling water, when plunged to the elbow, it was known as the triple ordeal; then in the wrist only, as the single ordeal. In these cases the injured limb was bound up by the priest for three days, and if, at the end of the time, the wound had perfectly healed, the accused was acquitted. There was also another method, that of tying a man's limbs and throwing him into a river or pond; if he sank, he was considered innocent; if he swam, guilty. Trial by ordeal was abolished in 1219.

Twelve men, the predecessors of our present grand jury were required to answer for all matters in their district called then a wapentake or hundred) in 1194, and were to make accusation against persons to be put on trial. Persons accused (called "indicted," or "presented," in modern legal wording) were sent to the ordeal, and even if they passed it successfully, were forced to go into exile. When trial by ordeal was abolished, the practice gradually obtained of allowing a second jury to disprove the proof of the indictment. Thus originated our petit jury, which took the place of the ordeal in testing the truth of the accusation. These juries based their decisions on their own previous knowledge, or on evidence given in court, and the practice arose of adding to the jury other recognitors familiar with the facts. This "jury of affeerement" gradually developed into a coarse body of witnesses, and under Henry IV, the jury began to hear evidence in open court, and to take no other evidence. About the time of Mary, the principle obtained that the jury should have no previous knowledge of the case.

The earliest jurors, being witnesses to facts, were punished for giving a wrong verdict; and a statute to this effect, in the time of Elizabeth, was not repealed, though it had long been obsolete, till 1825. The absolute immunity of jurors returning a verdict against the evidence, was first established in 1670.

The right to be tried by a jury of one's peers is peculiarly a right of the English race. It is unknown on the continent of Europe, or in any other English-speaking countries. The seventh amendment to our national Constitution provides that "in suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law." In criminal cases, the jury is a necessary part of the tribunal that tries an accused person.

The Constitution of Utah (art. I, sec. 10) says: "In capital cases the right of trial by jury shall remain inviolate. In courts of general jurisdiction, except in capital cases, a jury shall consist of eight jurors. In courts of inferior jurisdiction, a jury shall consist of four jurors. In criminal cases the verdict shall be unanimous. In civil cases three-fourths of the jurors may find a verdict. A jury in civil cases shall be waived unless demanded."

"Trial by jury," says the United States Supreme court, "is justly dear to the American people. It has always been an object of deep interest and solicitude, and every encroachment upon it has been watched with great jealousy." Cooley says that the privilege in criminal cases has been looked upon as a necessary part of the liberties of the people, and a sentiment attaches to it which will scarcely suffer its value to be questioned. Every State constitution preserves it, and every new or revised constitution repeats a guaranty of it. The common law jury consists of twelve persons and requires unanimity in the verdict; by the Utah statute three-fourths of the jurors may render a verdict in civil cases; and in all but capital criminal cases, the jury consists of eight persons, but in every criminal case the verdict must be unanimous.

Gen. Gomez is coming to Washington, to see President McKinley. No doubt the veteran chief of the Cuban patriot army will receive a cordial welcome.

Queen Victoria is worried over discussions in the English Episcopal church, of which she is the head. The bishops of the Anglican ecclesiastics over financial matters is the source of trouble.

People who enjoy or encourage a paper which is re-engaged in vilely misrepresenting the faith they hold, and seeking to bring trouble on the Church to which they belong, may be called "Mormons" but must be a queer kind of Latter-day Saints.

Now the battery song is heard from the State of Washington, in connection with the senatorial election there. From the talk that is going on, one would fancy that legislators are almost as much a subject of barter as pickers in a Chicago hog market.

The South Sea Islanders who were going to kill an alleged sorceress whom they believed to be responsible for a hurricane, were content to swap the woman for a pig, according to the story of a ship captain, told in the Antelope. Doubtless the pig would be the better eating of the two.

The people of the United States ought to see, in spite of the dust now being kicked up, that all the charges made of new polygamous marriages among the "Mormons" lack the element of evidence. The burden of proof is on the accusers. Yet the press of the country seems to expect the "Mormons" to prove a negative.

The anti-"Mormon" sheet published in this city being been convicted of deliberately and intentionally placing a false construction upon the words of another than which it has announced "nothing could be more wicked," now attempts to divert attention from its turpitude by calling names and so trying from the track of the law of the case. That will not answer. Its guilt remains no matter how much it may squirm and twist and indulge in vituperation.

The anti-"Mormon" inventor of telephone has dropped its proverbial "respectable old lady," as the authority for its vile opinions, and has vamped up "a good story" as a new authority. A few days ago it was "a clergyman of this city." The people of Utah are accustomed to these anti-"Mormon" myths, and folks outside will catch on to them, too, after a while.

Now the loading native residents of Iloilo are clamoring for the American troops to land and protect the place from being looted by the rougher element of Aguinaldo's soldery. A little time and patience seem to be all that is necessary to settle the Philippine controversy as satisfactorily as Cuban affairs were arranged when the Americans took hold of them.

The announcement that President McKinley intends to remove Gen. Brooke as military governor of Cuba, and to appoint Gen. Leonard Wood to succeed him, while coming with an apparent air of authority, is quite a surprise. This is not because of any doubt of Gen. Wood's capacity; but Gen. Brooke has been in the office only a month, and appears to have been fully capable of meeting the requirements.

The story from the South Seas, of eleven members of a shipwrecked vessel's crew being eaten by cannibals, is a gruesome tale. It is a reminder also, by the way, that there now lives in Salt Lake a gentleman who came near being a front rank cannibal, when he lay all ready for the roasting, but the intended victim succeeded in getting free. This is James S. Brown, one of the Mormon Battalion, and a member of the party pressed at the first discovery of gold in California. The experience with cannibals referred to, as related by himself, was on the island of Balaweul, South Pacific Ocean, about 1,600 miles from Tahiti.

The Deseret News has not "devoted great space to prove" that anybody "did not mean what he said." The space "devoted" on Friday evening proved, beyond a doubt, that the anti-"Mormon" paper in this city deliberately, falsely and maliciously charged a prominent gentleman with advocating the corrupt use of money in politics. This that paper denied and, of course, continues to deny, although we produced the proofs from the files of its own issues. No amount of recrimination or personalities will absolve it from the guilt and infamy which are stamped upon it indelibly. As to its future conduct, only its actions, changes are beyond hope or expectation.

In view of the military spirit that still lingers in some quarters of our country, and the estimated cost of an army consisting of 100,000 men, the Philadelphia Press wants to know why the American army of the number mentioned should entail an expenditure of $125,000,000 annually, as estimated, while Germany maintains half a million soldiers at an annual outlay of $25,000,000. Well, things are different in Germany. There military service is compulsory. The soldier receives only what is absolutely necessary to keep him in a proper physical condition. Many of the healthier class maintain themselves, and besides, bring in considerable change to the land of wurst and Limburger cheese. Would the Press favor the introduction of German militarism into "the land of the free?"

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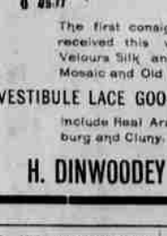

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