

EDITORIALS.

POPULAR TRIBUNALS.

THERE is a wide distinction between the associations organized outside of the law for the suppression of crime and those sudden uprisings of the populace to inflict summary punishment upon malefactors, which are guided only by passion and what is commonly called Lynch law. The essential differences between them are very clearly and forcibly portrayed, with a wealth of fine sentences and an abundance of graphic illustrations, in the opening chapters of volume one of "Popular Tribunals," which is volume thirty-one of Herbert H. Bancroft's "History of the Pacific States."

While both are in violation of law, the former are methodical, calm, under national control, animated by principle and usually regulated by just and honorable men, the other are hasty, infuriate, inspired by the spirit of vengeance rather than justice, and often the work of the roughest elements of turbulent society. There is some excuse for the organization of Committees of Vigilance, for the protection of life and property and the punishment of known criminals, when the regular machinery of the law is found inadequate to meet the public exigencies or in the hands of cowardly or venal men unable or unwilling to set it in necessary motion. But for mobocracy and insensate violence, which is frequently without reason or right, there can as a rule be no valid excuse.

There should be no necessity for either, in civilized society. And the association known by various names but chiefly on the Pacific Coast as Committees of Vigilance, owe their origin to the failure of the men and means provided by statute to carry out the purposes for which laws were enacted. To the stern and efficient work performed by some of those organizations, in which substantial and otherwise law-loving citizens were engaged, California owed its deliverance, over thirty years ago from the lawless scoundrels who at one time gained the upper hand, and but for the vigorous measures taken outside of legal provisions, would have made that splendid country a veritable hell upon earth.

The history of these Committees of Vigilance, with the names of their founders and chief managers, is fully given in the volume named above. And the principles which underlie the very foundations of human government and are before all human enactments, are treated of in a philosophical and logical manner which cannot fail to interest the students of law and sociology, while the thrilling incidents that are related will enrich the attention of the ordinary reader.

This volume will be by far the most popular of the series, yet published, in the great work of Mr. Bancroft. It is crowded with stories of mingling and city life in the wild times from '49 until law became permanent, and being fortified by documentary proofs, official and otherwise, the startling tales that rival anything in fiction are rendered doubly interesting by proofs that they are matters of fact.

The Popular Tribunals of California, in various parts, with minute details of the doings of the committee of vigilance in San Francisco, of Oregon, Washington, British Columbia and Alaska, of Idaho, Montana, Arizona, New Mexico and Mexico, also of Utah and Nevada are all described, preceded with a general summary of the old European organizations, secret and otherwise, which once spread terror and punished crime in the countries of the old world.

In accounting for the freedom of mobocracy and the absence of Vigilance Committees in Utah, the author makes some brief but rather unjust remarks, as we view them, on the power of the Church and the submission of the people, but has not, we believe, been intentionally unfair. While relating many instances of mob violence and organized lawlessness in the surrounding Territories, Mr. Bancroft can only say this under the head of Popular Tribunals in Utah:

"Were any ever disposed to praise the Mormons, or in any wise to do them justice, then might the lovers of law and order, the opposers of the vigilance principle, give them credit for living without mobs, without any popular or legal or other tribunal save those simple forms which lead with the least possible time and cost to do justice. Did the advocate of vigilance reform desire to praise them, he might point to the fact that here existed a society in which the regretted necessity was wanting. How they dealt with their enemies, the enemies of their religion, is another matter. We do ours all the injury we can, and that while the false prayer is on our lips that God will bless them."

Apart from the insinuation couched in the latter sentences, this is a tribute to the orderly qualities and peaceful record of the "Mormons" that is striking but only due to them. The seven hundred and forty-nine pages contained in this book are replete with interest, and form a valuable contribution to Mr. Bancroft's compendious History of the Pacific States.

Fashionable women shed more tears over spoiled dresses than over spoiled children.

FIFTY DAYS.

SOME time ago a sensational story was published by Jules Verne entitled "Around the World in Eighty Days," which was subsequently dramatized and not long since presented by a traveling dramatic company at the Theatre in this city. It was full of exciting situations and drew good houses. It is true that the whole fabric was fictitious, but, like many other stories by the same author, it was based upon a platform of facts sufficiently solid to make it appear plausible. Jules Verne, although a noted romancer is a fascinating writer and his imagination seems to revel in the development of scientific discoveries, which shortly afterward become accomplished facts. In one of his novels he describes the *Nautilus*, a submarine steamer which travels 20,000 leagues under the sea. At the time this book was published no such vessel existed, but now we have frequent accounts of submarine excursions substantially on the system outlined by him in the story. Again he gives us "Around the world in eighty days," and if we may credit statements in regard to a recent Russian enterprise, the exuberant flight of his imagination will soon be outstripped by accomplished facts. It is asserted that the Russian government is about to construct a railroad from the borders of Russia in Europe across the vast expanse of Siberia to the Pacific Ocean, terminating at the port of Vladivostok on the Sea of Japan. It is a great enterprise and will probably require five or six years to complete it. At the expiration of that time, however, it is estimated that it will be possible to travel from St. Petersburg to Vladivostok on the Pacific in fifteen days. "Round the world in eighty days" can be beaten with present facilities for rapid transportation, but when this line shall be finished, it would be possible for travelers to circumscribe the world in fifty days. Say, New York to London seven days; thence to St. Petersburg three days; from that point to Vladivostok, fifteen days; thence by steamer to San Francisco nineteen days, and by rail to New York six days. This is all within the bounds of possibility, and should the Pacific steamers move with the celerity of the "greyhounds of the Atlantic," which there is no good reason to prevent, the nineteen days allowed for that portion of the trip might be materially shortened. The world moves.

THE "ATLANTA'S" FAILURE.

THE Secretary of the Navy, and we presume the other officers of that department of the government, took a personal interest in the matter of having a navy which would compete at least with those of some South American States, even if it did not come alongside the monster craft and armaments of England and Russia. In order to have the navy originate with the present administration, he has crowded matters too much, and herein perhaps we have an exemplification of the old adage, "The more haste the less speed." The Secretary has doubtless circumscribed contractors to such an extent in the matter of time that finiteness could not be the result. This is reasonable enough; a war vessel is dissimilar to a merchantman as to structure, strength and equipment; a dozen of the latter that would give perfect satisfaction could be floated while the naval craft was getting well under way, provided everything was done as it ought to be and nothing slighted.

Notwithstanding the fact that appliances and materials are better, cheaper and more accessible now than thirty or forty years ago, the building of a first-class war vessel is a matter of more deliberation and expense now than then, for the simple reason that science and competition have forced such work away beyond what was then thought to be the limit of progress. The first ironclad had a comparatively thin plating, but it was triumphantly paraded as the culmination of marine architecture and thought to be invincible. But science is too restless a quantity to stop with resistance to propulsive force in that way, and while such a degree had been reached so far as the artillery of the day was concerned, the next move was to improve the cannon. This was done, and the iron hide of the war-dog was penetrated as easily as though it had been only sheet tin. Then the plating was thickened and toughened, the guns were re-rifled and strengthened so that greater blasts of powder could be used, and the vessels were again perforated between wind and water. To-day we have upon the waters of the North and South Atlantic Ocean men-of-war whose armor is eighteen and twenty inches in thickness, of chilled steel! And on the heels of this cumbersome consummation, a gun has been devised that will send a ball through it with neatness and dispatch. The question is—What next?

Our Naval Secretary's ambition is laudable, but no one can wonder that his hastily-constructed *Atlanta* with her powerful but also hastily-con-

structed guns proved a failure when the first target practice occurred on Wednesday last. He not only wanted the defensive quality fully developed, but the offensive one also, and this, as we said before, is a labor involving time if thoroughness is to be secured. The first shot fired from one of the vessel's guns did more damage in the rear than in front; it derailed the carriage, tore up the tracks and knocked splinters out of things generally, making the handling of such weapons a "very difficult not to say dangerous operation."

Of course the *Atlanta* is not armored to the extent that the proposed line-of-battle ships which are contracted for will have to be, as speed in connection with durability and strength is a great desideratum; and but little speed could be developed in a ship carrying thousands of tons of metal outside its hull; but it was as heavily equipped as a due allowance for both the requirements mentioned would permit, and it was hoped it would prove a model cruiser. So far as racing and resistance are concerned this may be the case even yet; but there is not much to be gained by a vessel whose only capacity in a scrimmage is to run away without getting hurt; it must be able to take the offensive as well, and the experiments made with reference to that object have shown that a great deal of remodeling must be done before it can even be attempted again.

Secretary Whitney never held this or any similar position before, and a great deal of allowance must be made. He has shown himself an efficient officer, zealous and persistent. It is scarcely saying too much to predict that he will profit by his first disappointment and when he takes his second thought upon it will be glad it happened just when it did. It illustrates where the weakness lies at the outset and leaves him time enough to correct it.

FAITH MUST BE FREE.

In free America it is understood that no person or association of persons can be called in question by the government, deprived of any civil or political right, or hindered in the exercise of any lawful privilege on account of religious belief. Faith is free under the Constitution, laws, institutions and popular sentiment in the United States. If there is any division of opinion on this point it only refers to the question of how far religious faith may be embodied in actions without subjection to the restraints of law.

The position of the Latter-day Saints has been that it is vain to say that faith is free, if acts springing from that faith and invading no human rights are to be prevented or punished. Their opponents claim that governments have a right to restrain actions which they deem detrimental to the general welfare, no matter how deep may be the religious sentiment or fervent the faith which prompts those actions. But no one has hitherto had the hardihood to enunciate the doctrine that faith of itself is to be restricted, or limited, or interfered with in any shape or form, by the local or the national government, or that for any peculiarity of mere belief or opinion any person shall be deprived of a right or privilege common to the people, or of any office or position under the laws.

In the controversy upon the "Mormon" question, this principle has been advanced and proclaimed, hundreds of times, by the press, and enunciated with force by members of both the political parties in Congress assembled. That the "Mormons" have a perfect right to believe in any and every tenet of their creed; to hold to the rightfulness and divinity of plural marriage, or polygamy, or anything else so long as they do not break the law by actions forbidden thereby. It has been declared, officially and otherwise, that questions of belief cannot enter into politics, and that the government has nothing whatever to do with the faith of anybody.

And yet after all this, the admission of Utah into the Union as a State is resolving itself in the public mind, to a large extent, influenced by a "free press" of a "free country," into a question of simple religious belief apart from any action, moral or immoral, secular or religious.

Harper's Weekly talks in this way:

As long as the majority of the people of Utah hold polygamy as an article of religious faith, whether they practice it or not, a constitutional declaration that it is a misdemeanor, and shall be punished as such upon conviction, is but a harmless declaration, so long as polygamists make the laws and try offenders, whether under the Constitution or under laws.

The *New York Times* puts forward as an objection to Utah's Statehood:

"They say that in their belief polygamy is according to a divine law revealed through their Prophet."

This is the idea sought to be impressed on the powers that be, so as to influence congressional and executive action against the coming State. It is a virtual disavowal of the principle of religious liberty, hitherto heralded to the world as essential to American institutions and engraved upon

the fundamental law of the nation and of the several States. It announces that the "Mormons" must be judged on their belief alone, and that Utah must be kept from the enjoyment of political freedom solely on account of the peculiar faith of a majority of her inhabitants.

This has been the conflict between religion and civil despotism for ages. It belongs to the old world and the darkness and tyranny of the past. It is not American nor in line with nineteenth century advancement. It is inspired by bigotry and animated by sectarian hatred, and is unworthy of any writer in this republic. When the mere belief of individuals is upheld as a barrier to their political liberties, they who interpose it exhibit to the discriminating the inherent weakness of their cause.

Harper's Weekly falls into the same error as many newspapers. It is not the polygamists but the monogamists who have this matter in hand, and they form the majority of the citizens of Utah. And when any public journal declares that a body of citizens of the United States must be denied their political rights and privileges, solely on account of their "religious faith, whether they practice it or not," it proclaims its own apostasy from the basic principles and established institutions of republican government, and its backsliding into the cruelty and intolerance of monarchical and persecuting times.

It will be a sad day for the liberties of this land when a religious test shall be recognized as a rightful qualification to the enjoyment of political freedom. The Government, its officers, the press or the people may not question the mere belief of any person or community. It is entirely outside of their jurisdiction. It is sacred to the individual. It is between him and his God. The rights of conscience cannot be lawfully invaded. And this attempt to deprive "Mormons" who have broken no law of rights to which they are entitled, because they believe differently from the majority of the nation, ought to be despised by every lover of civil and religious liberty.

God has left the human mind free to receive or reject any tenet, doctrine or principle that may be presented. He coerces none. Each soul is a free agent in this respect. The consequences of the reception or rejection of truth fall upon the individual naturally and by the workings of eternal laws. He who can judge righteously will deal out justice to each, with a full understanding of the circumstances and conditions surrounding all of His creatures. But no man or set of men beneath the boundless heavens has the right to debar a single human being of the common rights of citizens, because of any peculiar belief he may entertain or accept as divine. Faith must be free, and woe to the nation or person who seeks to bind it or mar its perfect liberty!

THE STATE QUESTION.

THE admission of Utah continues to receive attention from the press of the United States. Ignorance of the situation and a parrot like repetition of the utterances of leading journals, mark most of the comments of the country newspapers. But here and there an editor looks at the subject for himself, and expresses opinions at which he has arrived after due deliberation. We have published a number of such editorial remarks, and subjoin a few more to-day in their order of dates.

The Lynchburg, Va., *Virginian* of July 5th has an editorial on "Mormon Politics," casting doubt on the good faith of the framers of the Constitution and concluding with this paragraph:

"Still, if the convention will adopt a State Constitution prohibiting polygamy, by all means let it do so, and let Utah be admitted. It will open a way for a solution of the Mormon problem. The shrewdest politicians sometimes overreach themselves. With such a provision engrafted in the organic law of the State, it would only be a question of time and progress when the Mormon evil would be materially modified, if not entirely uprooted."

The St. Joseph, Mo., *Gazette* of July 9th says, under the head of "Martyrizing the Mormons":

"Utah wants to come into the Union, and the constitutional convention is now in session at Salt Lake preparing the organic law which it proposes to offer as the foundation for statehood. This constitution will prohibit polygamy, and thus the Mormon problem will be solved. But, because Utah is overwhelmingly Democratic, the admission of the Territory will be bitterly opposed by Republicans upon all sorts of unreasonable grounds. Judge Goodwin, the editor of the Salt Lake *Tribune*, who has, in the very midst of the enemy, made a strong, brave and brilliant fight against what has been flippantly termed the 'twin relic,' and has made the climate very tropical for the fragrant Mormon, is about to undo all his good work by opposing Utah's admission, simply to observe his Republicanism. He will make the Mormon a martyr, who can say: 'When we wanted to conform to the law you said we were not sincere. You have fought our church doctrine of polygamy, and now when we propose to abolish it you fight us and the admission of Utah to the Union with such paragraphs as this.'"

Then follows a characteristic paragraph containing the usual anti-"Mormon" slush of the sheet referred to.

The Washington, D. C., *Critic* of July 14th, has this editorial:

"It has been urged against the State Constitution just adopted by the Mormon Convention at Salt Lake that the whole proceeding is a stratagem; that the participants in the movement hope by hoodwinking Congress to get Utah into the Union, and once acquiring statehood return by constitutional amendment to their original polygamous status. In answer to this objection, which originates with the politicians of various parties at Salt Lake, the *Deseret News* says:

"To meet these objections it is provided that no amendment shall be made on this one question without the consent of Congress and the President, and that the endorsement of the National Executive shall be required to make a pardon effective. This is also unusual. But the situation is unusual. Utah has been served with repeated notices, voiced by Congress in denunciations, that without certain provisions Utah will never be admitted as a State into the Union; and now these conditions are met frankly and fully."

"What have the objectors to say to this?"

This brief but pointed article is from the Towawanda, N. Y., *Herald* of the same date:

"The Mormons of Utah are holding a convention to formulate a constitution. They will ask for admission as a State, and have decided to provide for the prohibition of polygamy. On such a basis Congress would be justified in encouraging this people; otherwise not."

The Erie, Pa., *Herald* of July 16th has a long editorial stating the position, admitting the claims of Utah to statehood apart from the polygamy question, and explaining the anti-polygamy sections of the proposed Constitution. It concludes with these words:

"The question for consideration now is, whether the population of the territory have the power to restrict themselves in the matter of amending their organic law, and voluntarily relinquish a right which each of the present members of the family of states now enjoys. If they have this right it would be perfectly safe to admit the territory. If they have no such constitutional right—if the guarantee is not worth the paper on which it is written and can be repudiated at any time—then Utah should be kept out until not only polygamy, but the depraved sentiment which upheld it, is thoroughly eradicated. The question should be very carefully considered before action is taken. If it be deemed advisable to admit the Territory there is one way in which all doubt as to the future could be removed, and that is by an amendment to the federal constitution giving the general government power to legislate against polygamy in the States as well as in the Territories."

We clip the following from an article in the Washington, D. C., *Herald*:

"In many respects the people of Utah deserve great credit. The first settlement went from Nauvoo, Ill., (after the killing of Joseph Smith), in 1846. After a terrible trip across the plains, they came to Salt Lake, and there created a civilization equal to any in the West, so far as its prosperity is concerned. For all this they deserve credit. If the people will present such a constitution to Congress as will satisfy the moral sense of the nation, let them come into the Union. There is no doubt but that they possess the popular qualifications to make a State."

The Washington D. C. *Critic*, which is always smart, brief, and striking, in its issue of July 18th remarks:

"The *Deseret News* says that the greatest antagonism to the admission of Utah as a State comes from 'adventurers and conspirators' at home, which is what we have long suspected. The success of the new constitutional movement means the leaving of these agitators and objectors out in the cold so far as the local offices are concerned. Hence their cry of bad faith against the State convention, the constitution which it framed and the people who by a large majority will adopt it."

MODEL HOUSEWIVES.

In a spirit of facetiae an eastern paper tells about a man with a small capital starting up a new and prospectively paying business, it being an institution where young men, and old ones for that matter, not otherwise provided for, could get clothes mended, hose repaired, and that famous "stitch in time" which "aves nine" at all hours of the day. To this end he employed a lot of neat, tidy, capable girls, and more orders came in than could be filled; one would think that under such fortuitous circumstances the business would have increased in proportions and grown stronger from time to time, but this one broke up after running a week—the customers sought out the girls and married them.

There is more than the joke of the newspaper paragraph in the above—much more, and a great many who are nameless because of their number might profit by it. The rule of "society" so called is that to be accomplished in house work is not to be accomplished at all, no matter how much