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Organ of the Church of Jesus Christ of Latter-day Saints

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SALT LAKE CITY, - JUNE 13, 1900.

NEW RULINGS NEEDED.

In the Graham case, recently tried before Judge Norrell, there were some points of common public interest that have been passed by without such general consideration. It is probable that they will come up again, and then attract further and greater attention. The case is to be appealed to the Supreme court of Utah, and an opportunity will thus be afforded to obtain some modifications in the former rulings of that court, in reference to a rapidly diminishing custom, which once formed a troublesome difficulty and a clash between a portion of this community and the law.

One of the points on which the appeal is to be taken is the validity of the complaint, which charges the commission of an offense in Salt Lake county, when it is alleged in that complaint that the offense was committed in one county and completed in another. It is difficult to see how the statute that provides for the trial in either county of a cause partly committed in one and continued in another, can be applied fairly and logically to a case in which the association with a legal wife was in the outside county. That is not an offense nor part of an offense. If a defendant is charged with "cohabiting with more than one woman in Salt Lake county," can he be legally convicted when there were but two women named in the indictment, and only one of them is shown by the evidence to have been associated with the accused in this county?

In many cases an offense can be actually begun in one county, or judicial district, and completed in another. The dynamite case, for instance, in which the engine for human destruction was fashioned in Juab county, and then sent to do its murderous work in Salt Lake county. Or the stealing of a horse in one county and the selling of it in another. The case could be tried lawfully in either county. But there is no law against a man's living with his legal wife in any county, and therefore that is no part of a crime in itself; if the offense charged is cohabitation with more than one woman in Salt Lake county, and there has been but one plural wife in this county, how can the statute rationally apply?

Since the passage of the law framed to meet special conditions in Utah, a great change has come in the situation. That "holding out" and "haunting" before the public of certain family relations, which was then denounced, has gradually subsided, until it has in a great measure disappeared. It is conceded by the reasonable portion of the opponents of the system sought to be suppressed, that the people who formed plural marital relations in past times, and who do not flagrantly violate the law and public propriety, shall not be disturbed in the performance of duties that devolve upon those who ought to provide for their own. There is a disposition to be lenient to them within certain limits.

But even those who are anxious not to violate the law, and yet to act in a proper manner to women and children dependent upon them, are handicapped by peculiar rulings of the courts, made to fit the old conditions and not fairly applicable to the present. There ought to be some modifications of the old interpretations of the law, of course without doing violence to its proper intent, so that people who desire to do what is right as a matter of conscience and affection, may not be looked upon as lawbreakers, because of strained and harsh rulings intended to be severe and repressive, when extreme measures were thought to be necessary.

We hope that in the case to be appealed, there will be an opportunity afforded to the court of last resort in this State, to make such expostions of the law as will be adapted to the changed conditions now existing, and at the same time will not be in opposition to the true and plain intent of the statutes still in force.

Judge Norrell expressed a doubt in respect to some points in the case, on which he ruled, as he believed, in accord with the decisions of the higher court. He also departed from a custom that had prevailed in such cases, of exacting a promise from the defendant as to his future conduct. Such compact is not required in ordinary criminal cases, and there is no good reason why they should be demanded in this. He certainly is right in expressing the view that there is no law requiring the judge to exact, or a defendant to make, such an agreement. The Supreme court will doubtless give these matters serious, rational and judicial consideration.

SPEAKING ABOUT CHINA.

The complications in China continue to absorb the interest of the public. The belief is widespread that Russian intrigues are at the bottom of the disturbances, but the only ground for this is the fact that Russia seems better prepared to meet the existing emergency, single-handed if need be, than

any of the other powers. But whether Russia is pulling the strings on the Chinese marionette theater or not, the British commercial interests in Asia are in greater danger than they have been for a long time.

Should Russia decide to follow up her advantages, Great Britain, with an African war on her hands, is hardly in position to meet effectively her rival in the Orient. Russia may conclude to continue the existence of China, as was done after the war with Japan, but even that would mean an added advantage to the Czar's government over all competitors for Chinese favors.

Prof. Frederick Starr, head of the department of anthropology at the University of Chicago, the other day addressed the students, on the Chinese question. He has made it a special study. According to him, there are four possibilities of the outcome of the tangled affairs. First, the Dowager Empress may come out victorious; second, the so-called emperor may be restored under a coalition of the foreign powers; third, China may be divided among the nations; fourth, Russia may seize China. But the only probabilities, he added, are the first and fourth. The partition of China among the nations would lead to the development of a warlike spirit in the Chinese themselves, which would unite China and give her a strong sway as a world power.

The fourth possibility, the seizure of China by Russia, would amount practically, to the same thing. That there in a few years add to Russia's fighting strength a force before which the united armies of the European powers would become insignificant.

Prof. G. C. Smith, of Toronto, Ont., discussing the same subject pointed out what, in his opinion, would be the result of the policy now pursued in the Chinese empire. He said the Chinese have an indisputable right to their country; they are at least partly civilized, and they are industrious in the highest degree. He said the powers are now staking the empire out for conquest with the intention, if the people resist, of mowing them down. A fearful vista of slaughter and desolation may presently open. The population of China is roughly estimated at 400,000,000. The people are fanatically hostile to foreigners, as in truth, considering the opium wars, they have too much reason to be.

Professor Smith added that, in his opinion, all the missionaries should be compelled at once to withdraw to places of security, or if they choose heroically to remain in posts of danger they should be warned that they do this, as did the early missionaries, at their own risk. It is monstrous, he said, that a religion of peace and good will should be made, as too often it has been in the hands of its indiscreet apostles, a brand for kindling the flames of a murderous war.

We fear there is more truth than poetry in the censure of the professor. A great many of the "Christian" missionaries, at home and abroad, are destitute in fact and that essential quality of a messenger of peace, that makes him capable of being a power for good. Some of them would fain see navies and armies employed in the supposed furtherance of their cause. Missionary activity has not always been an unmingled blessing to heathen nations. When the governments of the world are planning the wholesale destruction of the rights of pagan nations, it is time for missionary societies to prove that they are not partners in the work of destruction, but that their object is the salvation of the world.

SOMETHING NEW IN THEOLOGY.

The old discussion concerning the authorship of the epistle to the Hebrews has been revived by Prof. Harnack, of the University of Berlin. He advances the novel theory, that the letter, so long ascribed to Paul, or to some of his companions in the missionary field, was written by a woman. Generally speaking, discussions of this kind are given but little attention outside strictly theological circles, but if Prof. Harnack succeeds in establishing his proposition, the great public will be interested. It would be one of the great discoveries of the century, if it is a fact that one of the books of the New Testament owes its existence to the inspired pen of a woman.

The epistle to the Hebrews undertakes to set forth the dignity of the Lord Jesus, as the express image of the Father, the Creator, the King, the Captain of our salvation. It shows the peculiar excellency of His Priesthood, as compared to that of the Mosaic dispensation, and compares the ordinances of the Gospel to those of the law: It gives illustrations of faith, and ends with some practical lessons, inculcating obedience, contentment and willingness to sacrifice all on the altar. Its closing benediction is beautiful and rich in allusions to the new covenant and the dignity and grace of the Mediator. It is one of the most important compositions of the sacred volume.

The epistle to the Hebrews was in the early ages not generally received by the Church, but was placed among the so-called Antilegomena, or books of disputed authorship. The tradition that it was written by the Apostle Paul was disputed on the ground that the author's name has been left out, while Paul always attached his autograph to his letters; the style is, moreover, thought to be entirely different from that in the Pauline epistles.

Notwithstanding these objections, the prevalent opinion has been that Paul was the author. The testimony of the early fathers of the Eastern and Alexandrian churches is in favor of this view. It is further urged that the intimate knowledge of Jewish theology displayed in the epistle points to the celebrated disciple of Gamaliel as the author, and the anonymity is accounted for on the supposition that Paul, in writing to the Jewish Christians, who were much prejudiced against him, thought it best to omit his name.

And here the controversy on this point has rested until now. Will Prof. Harnack be able to prove his new theory, or give it even a probable foundation to rest on? He even names the supposed authoress, Priscilla—a name familiar to the Bible student.

Prof. Harnack has in a German theological periodical, quoted by The Literary Digest, set forth at length his reasons for believing the noble Priscilla the authoress of the epistle. A summary of his argument is as follows:

1. This letter is the production of a highly cultured and skilled representative of the Christian cause; and this Aquila and Priscilla were, as is evidenced by their teaching even the Alexandrian Apollos.

2. The letter is written by a person who belonged to Paul's circle of friends; and this was especially true of these two.

3. The writer stands in intimate relationship to Timothy and knows that he is equal in rank. Of Priscilla and Aquila we know that they labored together with Timothy in Corinth for eighteen months as missionaries and teachers, and then joined him in Ephesus.

4. The author of Hebrews wrote his letter after the death of St. Paul, and probably some time after this event, living when Paul wrote the last document which we still possess from his hand (2 Tim. IV.), and there are no reasons for doubting that they lived two decades after his departure.

5. The author of this Epistle must at one time have been a member of a smaller band of Christians in Rome (a house congregation), and must have occupied a high rank in this circle, probably that of a teacher. In his letter he still feels himself to be a member of this band and talks to his readers in a manner of a companion with authority. Priscilla and Aquila came originally from Rome and after a number of years returned to that city and there became the head of a household congregation, and at a later period again left Rome.

6. This combination of historical facts explains at once what was hitherto enigmatical in the relation that existed between the writer and his readers.

7. The most paradoxical feature in connection with the Epistle to the Hebrews is the fact that the church has lost altogether all tradition as to the name of the writer. If Barnabas or Luke or Clement or Apollos had been the writer, this loss could not be naturally explained. If, however, these two were the authors, or especially Priscilla had been prominent in the composition, then the disappearance of the name can be explained without any difficulty whatever, and an excellent reason for this is given.

8. But we are not confined to general considerations. We have actual historical evidence to prove that in the early period of the church systematic efforts were put forth to suppress the prominence of Priscilla in the primitive church, and that even a letter which she had sent out was declared to have been not from her pen and was ascribed to another author. The details of this matter, based on changes made in a number of Greek New Testament manuscripts, have been given in the *Memoriae of the Prussian Royal Society of Sciences*, January 11, 1900.

These considerations the learned professor thinks sufficient to determine the authorship. He ventures the opinion that the epistle was written by Priscilla, probably assisted with her husband, Aquila, and thus he gives the theological world some food for thought.

TOLSTOI EXCOMMUNICATED.

Tolstoi has been excommunicated from the Greek church, of which he has been a member since childhood. The Russian philosopher has of late years expressed views diametrically opposite to those of modern Christianity, but in his latest novel, *The Resurrection*, his attacks on modern dogmas are so open, that the head of the Russian church has decided to cast him off as a heretic, and deny him the use of the sacrament, until he recants and acknowledges his errors.

There was a time when the displeasure of an established church was a serious matter to its members, both financially and socially, but that was long ago. A series of revolutions against political and religious tyranny have had its effects, and now, even in Russia, an act of excommunication is not serious. Tolstoi still is enthroned in the hearts of the people, who have listened to his charming stories and parables, in which he used to convey to them bits of precious truth.

The probability is that the act of excommunication will hurt the church a great deal more than the object on which it falls. When it is demonstrated to the people that the wrath of the Synod is comparatively harmless, thousands who formerly did not dare to breathe their doubts, for fear of eternal damnation, will come out boldly in sympathy for Tolstoi.

Man may crawl before a clumsy image as long as he is dominated by superstitious fears; but at length he will find out the deception practiced upon him, and stand up erect before the god of his imagination. Tolstoi long ago arrived at the stage when he dared to look the gods of orthodoxy in the face. His own excommunication for doing so, will hasten others to his side. It was bad policy to spurn a man, whose fault is that he is searching for truth, and daring to speak, as he finds some of the precious treasure.

Excommunication was originally a means given the church of Christ for the preservation of its purity. When a corrupt church uses it, no matter for what purpose, it is sacrilege. And its abuse will, like a boomerang, return, but with vengeance.

Admiral Schley says he wants no vice presidential nomination. He saw enough bottling up at Santiago.

The British are sending troops to Tien Tsin. Lord Salisbury does not propose that the Czar shall have all his own way.

The Chinamen in San Francisco seem to have the health board on the hip. In a case in court where the board will have to retrace its steps or prove that

bubonic plague exists. The latter is regarded as an impossibility.

The weather bureau is careful and says "conditions are favorable" for rain. None can question that judgment whether or not the showers come.

It is said that Li Hung Chang, the Chinese viceroy, is in sympathy with the reformers. He is shrewd enough not to betray his sympathy in China, lest it serve for a funeral notice.

The "open door" in China supposed to have been secured by American diplomacy, bids fair soon to be nothing more than a reminiscence, the way affairs are going in the Mongolian empire.

Booker T. Washington refuses to have any connection with the proposed national party of colored citizens. His advice to his race in this country is not to seek political offices until they can do so on a footing of equality.

The effort to do away with the Presbyterian confession of faith and substitute a simple creed therefor, is characterized by an orthodox Presbyterian as aiming at "no confession, no faith." As well have it in name as in fact.

Senator Davis of Minnesota says the Spanish-American war made several European converts; those nations who wanted to intervene in behalf of Spain now advocate leaving Americans to settle affairs on the western hemisphere in their own way.

It is stated in a dispatch from London today, that the commanders-in-chief of the opposing forces in South Africa, Generals Roberts and Botha, had fought a battle in which "the Boers were not beaten." The dispatch fails to state who were the losers.

The Arizona man who grew so angry at pine needles hurting his feet in an Arizona forest that he set the woods on fire and destroyed a vast quantity of timber, is to be given a chance to cool his temper in jail. Hereafter he will probably take some other method of revenge when a splinter hurts him.

A story from El Paso, Tex., tells of the horrible death a white man was subjected to, for wronging a Mayo Indian girl. The penalty, being stung to death by ants, was in accord with Mayo law, and is about the same barbarous line as that inflicted in several instances by white people in the South on negro ravishers. But the white men lay a claim to civilization which the Indians do not.

ADJOURNMENT OF CONGRESS.

New York Evening Post.

An ambitious program was outlined at the opening of the session, but only a small part of it has been performed. One great achievement is to be set down to the credit of the Fifty-fifth Congress—the passage of the Gold-Standard Act. This is one of the few measures that stand out above the ordinary level of legislation when one surveys the record of a long period. It marked the end of a contest which had raged with varying fortune for more than a quarter of a century and it signified the triumph of sound financial principles. The Congress which enacted this law will always be entitled to credit for the action.

Baltimore Sun.

Congress has now about made its record, which includes some important measures. The financial act is the most important, as it definitely establishes the single gold standard. Legislation for Porto Rico and Hawaii defined in part the administration's imperial policy, and the Alaskan Code bill, which has passed both houses, fills a long-felt want. The failures are more numerous than the achievements of the session. Among these may be mentioned Anti-trust bills, the Shipping Subsidy bill, the Pacific Cable bill, the Nicaragua Canal bill, the reciprocity treaties and bills in regard to Cuba and the Philippines. The total of appropriations is expected to be about \$700,000,000.

Milwaukee Wisconsin.

This is the shortest so-called long session held in many years. The armor-plate controversy was finally settled, and under an honest and vigilant secretary of the navy the treasury will be protected. The appropriations of the session are large because they include \$131,000,000 for the closing period of the Spanish war. One of the greatest acts of this or any other Congress is the gold standard law by which the United States is permanently fixed upon a solid basis. That act is worth thousands of millions to the stability and prosperity of the whole country and insures to the workmen that their wages in this country will be paid to them in the best money of the world.

Chicago Record.

As is usual at the session preceding a presidential election, there was much sparring for political advantage, and many of the speeches delivered were intended for campaign use. Pagan lines were drawn over the chief issues of the coming campaign—the President's colonial policy and trusts. A strong political cast was given, too, to the unsuccessful effort to secure the passage of resolutions giving moral support to the Boers in their war against the British.

Springfield Republican.

Its one substantial achievement of enacting into law the gold standard stands out, therefore, the more brilliantly as the work of Congress is reviewed. More, probably, would have been accomplished in constructive legislation had not the shadow of a presidential campaign stimulated the fears of Republican leaders concerning positive action in any line wherein friction might be developed. On this account a number of excellent administrative measures have been smothered, for the time being, such as the army reorganization bill and the Hay-Pauncefote canal treaty. On the other hand, measures far more questionable have also failed of passage. The failure to reduce the war taxes is an evidence of the extravagance of the government under which the American people now live.

Cleveland Plain Dealer.

In the closing hours of the session the long and bitter armor plate war, which has retarded naval progress for several years by preventing appropriations for armor plate for ships already authorized and building was ended. The result is a compromise. Briefly, it leaves the matter in the hands of the secretary of the navy. No maximum price is fixed. The secretary is authorized to contract for armor plate at a price which seems to him reasonable and equitable. If the price demanded seems to him excessive he is obliged to present at once with the establishment of an armor plate factory for which purpose \$4,000,000 is appropriated as a starter.

Boston Herald.  
We surely need not say that this is not in consonance with the Republican form of government which belongs to the United States. There are many

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## RECENT PUBLICATIONS.

The special features of Harper's Bazar for June 9 are as follows: "Heroines of Nineteenth-Century Fiction," W. D. Howells, (IV.) Illustrated by A. I. Keller; "Ignace Paderewski at Home," Eleanor Hoyt, Illustrated with photographs; "A Lion in the Way," (Short story), Alice Brown, Illustrated by Charles Broughton; "Good Form in Women's Tennis," J. Parnly Paret, Illustrated with photographs; "Advance Fashions for Summer Wear," A. T. Ashmore, Illustrated by Ethel Ross Gray Ross and A. M. Cooper; "The 20th-Century Baby and His Care," Marianna Wheeler—Harper & Brothers, Franklin Square, New York.

In the June number of The North American Review, the following list of contents is offered to the reader. "The Issues of the Presidential Campaign," W. J. Bryan; "Australian Federation and Its Basis," Edmund Barton; "Will Education solve the Race Problem?" Prof. J. R. Stratton; "The Master of the Olympic Games," Baron Pierre de Coubertin; "How England Should Treat the Vanquished Boers," Sir Sidney Shippard, K. C., M. G.; "Modern Persian Literature," E. Denig; "Prof. J. H. B. Watson; "The Rev. G. W. Shinn, D. D.; "Charter Needs of Great Cities," Bird S. Coler; "Cecil Rhodes's Future," Princess Catharine Radziwill; "British and Russian Diplomacy," A. Diplomat; "Nationalism of England and Russia," Demetrius C. Boulenger; "Great Britain in Asia," The Rt. Hon. Sir Richard Temple, Bt.—New York.

The June number of The Black Cat is at hand, with five short stories written in the crisp style so peculiar to the contributors to this little magazine. "Dr. Gilbert's Seven-dollar Bill," "The Passing of Burville," "An Unfair Exchange," "The Man Who Could Walk Straight," and "In Hell's Canyon," are the titles of the stories.—The Short-story Publishing Co., 114 High St., Boston, Mass.

In an article on the Royal Academy Exhibition in the June Magazine of Art the question of the position of the academy is thus dealt with: "Everyone who starts with the idea that there exists at Burlington House a national institution for the encouragement of living artists, on an official art exchange run for the benefit of all sorts and conditions of workers, is fully justified in complaining that the academy is at-tempting to do its duty on too small a scale. It has by no means space enough to deal justly with the vast mass of people who follow the artistic profession and it can find accommodation for scarcely a tithe of the productions (such as they are) that bear witness year by year to their unflagging, and usually mistaken, industry. Presumably, no one sends up work for exhibition without an honest belief that all of it is worthy to be seen in public; and even after allowance is made for errors of judgment, it is quite possible that half the things which pass before the academy council in the spring deserve places in a show that should summarize the accomplishment of the whole art community. But so limited is the gallery space that only a poor two thousand works out of fifteen thousand or more can hope to survive the process of selection, and the trifling collection cannot, of course, be either complete or representative."—Casell & Co., 18th St., New York.

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