

Nov. 7th, as it touches a vital question, and is in accordance with the genius of American institutions and in harmony with the spirit of civil and religious liberty.

AN INEQUITABLE DECISION.

WE PUBLISH the text of a decision by Judge Henderson, in a case involving the ownership of a schoolhouse or meeting house in Woodruff, Rich County. We think that after reading it carefully, those who are familiar with the condition of affairs in this Territory in the early settlement of towns and villages, will see very clearly that His Honor has erred in the decision. We admit that in many instances the leading men in those settlements were not sufficiently careful to draw the proper line of distinction between school interests and the interests of the Church in their respective Wards. And this has caused complications which have led to gationliti in the courts.

It was customary in establishing new settlements, for the people, who were usually all members of the same Church, to erect a building for general use. That is, for religious meetings, for school purposes, for lectures, entertainments, etc. The people owned it and never expected there would be any trouble about divided interests. It was built under the direction of the Bishop of the Ward, by the members of the Ward and belonged to them. They had a right to use it for any lawful purpose they desired.

But in later times, men who have apostatized from the Church and who are usually filled with bitterness and the spirit of trickery have, in several cases, combined with some newcomer not connected with the Church, for the purpose of depriving the people who erected these buildings of the title to and control thereof, by setting up a claim similar to that decided by Judge Henderson. The terms "schoolhouse" and "meeting-house" were applied to such buildings as almost synonymous, because they were used for both purposes. Whatever they might have been called, they belonged to the people as members of the Church of Jesus Christ of Latter-day Saints.

In the Woodruff case, not only were the equities in favor of the people who erected the house by donation, but the title was vested in them, and the order transferring it to the school district and assessing the costs of the suit against the rep-

resentatives of the owners and possessors, is quite in keeping with the policy sought to be pursued against the Latter-day Saints.

The pecuniary part of it does not matter so much, it is the injustice wrought, and the leaning towards everything anti-"Mormon," which is lamentable and to be deprecated by all who desire to see the courts of the country above such considerations.

We advise all our friends where school and Church interests have not been clearly separated and defined, to see to it that each receives its due in matters of property. All differences, if any there be, should be fully settled and titles quieted. Justice should be done, and a spirit of mutuality and equity should prevail, that litigation and strife may be avoided, and courts may not be placed between two fires and tempted to lean in a popular but unfair direction.

CARDINAL GIBBONS MISTAKEN.

WE HAVE at hand a late work from the pen of Cardinal Gibbons, entitled "Our Christian Heritage." The scholarly author devotes a chapter to "The Dangers that Threaten our American Civilization." He reiterates the oft-repeated truism that "the official life of a nation is ordinarily the reflex of the moral sense of the people." The distinguished Catholic then says:

"We are confronted by five great evils—Mormonism and divorce, which strike at the root of family and society; an imperfect and vicious system of education, which undermines the religion of our youth; the desecration of the Christian Sabbath, which tends to obliterate in our adult population the salutary fear of God and the homage that we owe Him; the gross and systematic election frauds, and, lastly, the unreasonable delay in carrying into effect the sentences of our criminal courts, and the numerous subterfuges by which criminals evade the execution of the law. Our insatiable greed for gain, the co-existence of colossal wealth with abject poverty, the extravagance of the rich, the discontent of the poor, our eager and impetuous rushing through life, and every other moral and social delinquency, may be traced to one of the five radical vices enumerated above."

If Cardinal Gibbons were familiar with the genius and aims of what he calls "Mormonism," he would not only omit to place it first on the list of dangerous elements, but would not have placed it in that category at all. On the other hand, providing he is inspired with a genuine desire for the weal of the commonwealth, he would have defined it as the most potent and promising process of regeneration in exist-

ence, present appearances and the opposition of such able men as the Cardinal to the contrary notwithstanding. But the gentleman is not properly informed upon the nature of the system he so unqualifiedly arraigns, and on that ground only is he to some extent excusable for making a grave charge not susceptible of being sustained. Any degree of culpability that attaches to him, if any there be, must be assumed upon the ground of his not having investigated the subject at which he has delivered a blow without qualification. The author assumes, by a sudden process, devoid of logic, so far as his book exhibits, that "Mormonism" is a plague-spot on our civilization, and then passes from the subject, with an air of complacency, almost as quickly as he strikes it. His method is to reach a conclusion without taking the trouble to state his premises or supporting facts. His position could be logically denied even upon this basis alone; but it can be completely overturned by the logic of truth.

In the catalogue of five dangerous elements "Mormonism" is not only placed first, but is associated with divorce. Had the writer been properly informed he would have known that the system of religion which he assails is in its essence the antithesis of divorce. It holds that the marriage covenant, properly and authoritatively solemnized, entered upon and lived up to, is eternal in its character, and regards the dissolution of the bond between the contracting parties with abhorrence. When there is absence of unity between them it is esteemed to be a religious duty for them to bend their efforts toward the production of a harmonious condition, until they become one, the only felicitous state of the marriage relation, rarely attainable in mortality, but a necessity in the glorified life beyond. From the standpoint of "Mormonism," marriage involves compliance with the laws of man's spiritual and physical nature, which are among the laws of God, including the divine statute of eternal economy, requiring a legitimate and progressive result from every natural operation, so far as attainable by the proper use of the functions of man. It will be observed, from this explanation, that the joining of "Mormonism" with divorce, as twin elements of national danger, is an absurdity, the former being a foe to the latter.