EDITORIALS.

A REMEDY WORSE THAN THE COMPLAINT.

THE Sacramento *Record-Union* quotes the words of Congressman Reed, of Maine, in reference to the difficulty of an enforcement of law in a community where the local sentiment is opposed to it. He is reported as saying in relation to the "Mormon" question; "It is useless to attempt to force a law upon a community where the weight of public opinion is hostile to it." The *Record-Union* endorses this, and claims that it is the argument on this subject with which it has made its readers familiar, all of which is right enough. But it goes on to prescribe a remedy in this wise:

"The only way to enforce measures against which the community rebels, is to pave the way by depriving the community of its political liberties."

If this is not a case of "the remed worse than the disease" we do not know where the aphorism can be better applied. In the case under consideration a portion of the community have entered into family relations which are considered right and proper and conducive to general morality by the great majority, but are contrary in one respect to a law enacted by Congress. Difficulty is experienced in the enforcement of the law for the reason above stated. And the only remedy that the *Record-Union* can suggest is to "deprive the whole community of its political liberties."

There is an old saying "What is sauce for the goose is sauce for the gander." How would our Sacramento contemporary like to have its sole remedy for such conditions applied to its own State? In another article in the same paper from which the above quotation is made appears the following:

"How long is it since a murderer was brought to the gallows in San Francisco? How many murderers now occupy the prisons of that city? How long have many of them been there? The wretch who deliberately strangled his sister-in-law, to prevent her escape from ruin, and packed her body in a trunk, is still alive, and we should be less surprised to hear of his release than of his execution. The jails of San Francisco fairly swarm with murderers, either untried or convicted and held under appeals. And while it remains possible for the most infamous assassin thus to cheat justice, and to postpone or evade punishment, human life will be held cheap, and every cowardly hoodlum will think it safe to make a reputation by homicide."

There is a law in California against murder and the penalty is death. But it appears that it is almost impossible to bring a murderer to the gallows in the Golden State. Will the *Record-Union* recommend that the people of California be deprived of all their political liberties until murderers are promptly choked to death according to law? Utah is to be deprived of all political liberty because the officers of the law whose duty it is to see to the enforcement of the law do not attempt to secure convictions. The law is a statute of the United States, the officers are the appointees of the United States; and because they do not succeed in the work expected of them, the whole community in which they live and draw their salaries, is to be cut off from the common rights of citizens. Singular logic and a peculiar remedy.

The real root of this small difficulty, which the imagination of the people has magnified into such huge proportions, is in the religious belief of the community. And we venture to assert that this cannot be moved by penalties of any kind. If every Latter-day Saint was deprived of the right to vote and hold office, and reduced to the political condition of a child or a Chinaman, the root of the matter would not be touched in the least.

Most of the trouble is in the exaggerated and incorrect ideas of the public. There is not a State of the Union in which laws are not disregarded in a far greater degree than in Utah. In general obedience to law, the "Mormons" will compare to eminent advantage with any other community on the continent. And considering the smallness of their numbers, and their admitted good qualities as citizens except in that one respect against which exceptions are taken, it is simply preposterous to raise such a tumult about them, especially when known, and indisputably worse things than those alleged against the "Mormons" abound so widely in other parts of the country, without causing a ripple of excitement. If the non-enforcement of law in any locality is sufficient ground for depriving the people there of their political liberties, there will remain but few places in the United States where political freedom will be left.

SOMETHING FOR CONGRESS TO CONSIDER.

CONGRESS is continually pestered with petitions to squelch "Mormonism." Thousands of people want it put down by force of arms or the power of law, who have not the remotest correct idea of what it is. And those who have some conception of what they want are singularly blind to greater needs in their own neighborhoods. Laws are demanded to uproot and destroy the domestic relations of a community living in the quietest kind of peace, interfering with no one else, and managing their own affairs without injury to other communities or the nation at large.

Yet there are evils affecting society in all the States that need the attention of the law-making department, and are rapidly growing in their disastrous consequences. We do not now allude to those gross vices which are so prevalent, but which are properly under the purview of local authority, but to a source of trouble and disorder which may be best illustrated by a statement of fact and reasonings based upon it, which we clip from an eastern journal, the narration being given in the *International Record:*

"In 1871 Frank Baker married Sally West, in Ohio. A short time thereafter Sally procured a divorce from Frank for 'gross neglect of duty,' under the laws of this State. Later, Baker married a Miss Nelson at Auburn, in the State of New York, whereupon he was immediately indicted and convicted for bigamy, and the Court of Appeals sustained the judgment. This was severe on Baker. The courts of Ohio had taken Sally from him, and the courts of New York declared that the act of splicing to Miss Nelson was a piratical act, involving penitential solitude for two years. The *Record* thus sets forth the possible status of Baker and his two wives in different States:

"If Baker's wife had procured her divorce in New York, and he had then married Miss Nelson in the State, he would have had no wife in New York, but he would not have been guilty of bigamy. The court left him with Miss West for his wife in New York, but with no wife in Ohio. If he had married Miss Nelson in Ohio, she would have been his wife there, but when he came to New York he could have deserted her with impunity, for Miss West would then have been his wife, although she might have had another husband in Ohio. If he had married Miss West in Massachusetts, and she had procured a divorce from him in New York, and he had then married Miss Nelson in Ohio, he would then have had Miss Nelson as his wife when he was in Ohio Miss West as his wife when he was in Massachusetts, and and no wife at all when he was in New York! If, having married Miss West in Massachusetts, she had after the divorce remarried in Ohio, and Baker had obtained, as he then could have done, a divorce from her in New York, on the grounds of adultery, and he had then married Miss Nelson in New York, and again, afterward, Miss Nelson had procured a divorce similar to Miss West's, in Rhode Island, and then Baker had married Miss Smith there, the result would have been Miss Nelson as Mrs. Baker in New York, Miss Smith as Mrs. Baker in Ohio and Rhode Island, and Miss West as Mrs. Baker in Massachusetts."

An ordinary mind will become stupified in an attempt to unravel the complications growing out of this state of affairs, and to make clear the domestic status of children brought into the world under such conditions. Eminent jurists are of the opinion that Congress has the right to regulate these matters, seeing that they affect the relations of the different States one with another. We do not pretend to pass an opinion on this constitutional question, but will merely suggest that if Congress has that right, it would be far more consistent to exercise it for the correction of the irregularities and gigantic evils springing from the defective system above portrayed, than in pottering over the marriage relations of a sprinkling of people in the Rocky Mountains, whose domestic affairs affect no one else but themselves.

THE DUTY IS CLEAR.

THE Cincinnati *Times-Star* says anent the Utah election case:

"The duty of Congress in reference to the Campbell-Cannon case is clear. If the evidence shows Cannon to be ineligible to a seat in the House, there should be a new election. It would be an unrepublican and a high-handed proceeding to admit Campbell, who received scarcely one-eighteenth of the votes cast at the election."

Quite right. But suppose that the evidence shows Mr. Cannon to be eligible, and all the objections against his eligibility to be simply lawyers quibbles and trumpery obstructions; what then? Will it not also be an unrepublican and a high-handed proceeding to reject the elected candidate, and debar a Territory from any representation in Congress just because of popular dislike to the religion of the masses of the people therein? If Mr. Cannon is found to be a citizen and duly elected there is nothing under the sun but unreasoning prejudice to hinder his immediate admission to his seat. The duty of Congress in this matter is indeed clear.

A LIVELY CHANGE.

AN eastern exchange says:

"Congressman Julius Cæsar Burroughs, the sky-invading orator of Kalamazoo, will speak on the Mormon question as soon as an opportunity offers. We shall then witness the terrific power of logic clothed in thunder."

All right. Anything for a change. Anti-"Mormon" harangues are usually exhibitions of the density of ignorance clothed in garments of fog. Give us the logic and the thunder by all means.

LEGISLATIVE EXPENSES.

A concurrent resolution which was presented to the House on Wednesday, in our opinion was acted upon a little too precipitately. It was to the following effect: That as the statutes of the United States provide that "No Legislative Assembly of a Territory shall in any instance or any pretext, exceed the amount appropriated by Congress for its annual expenses," therefore the sergeant-at-arms of each House shall be required to keep a detailed account of the disbursements in amount and kind.

At first sight this seemed only a proper provision. The amount appropriated by Congress for the expenses of the Legislative Assembly, including compensation of members is $25,500. This sum cannot be exceeded. Therefore it would seem to be only right that some check should be put upon the distribution of articles to be paid for out of the appropriation. But a little further consideration will show that the distribution of United States funds placed under the control of a United States officer, is beyond the control of the Territorial Legislature.

Supposing the Sergeant-at-arms keeps an account af the stationery, etc., furnished him by the Secretary to distribute among the members. He does not know the cost, and if he did, it would not affect the matter an iota. There are other expenses, such as rent, fuel, furniture, etc., with which the Sergeant-at-Arms has nothing to do, and therefore cannot render an account of. The few articles that pass through his hands from the Secretary constitute but a small part of the expense of the Assembly; therefore his accounts would not aid very much in showing what the expenditures amount to.

But supposing they all passed through his hands, and the Assembly could thus learn the entire sum expended by the Secretary. What then? That body has no jurisdiction in the matter. The Secretary does not account to the Legislature. The money does not come out of the Territorial Treasury. It is not disbursed by a territorial officer. It is entirely under the supervision of the United States.

In the instructions sent to the Secretaries of the Territories by the Comptroller of the United States Treasury, appears the following:

"The Secretary of a Territory is subject to instructions of the Treasury Department, under the law, in the expenditure of money, and in no case, to the direction of the Governor, or other Territorial authority. He should use due economy in everything and avoid controversies in the exercise of his powers and the discharge of his duties."

This settles that matter. In the same circular, the items are given of allowable incidental expenditures, cavering the printing and binding of the laws and journals—limited in every case to the sum of $2,500—stationery, fuel, lights, rent of halls, committee rooms, etc., but in no case are postage stamps or anything but the actual necessaries for the business of the Legislature to be paid out of the appropriation made by Congress. The Secretary is required to furnish vouchers for all his expenditures, and his accounting is not to any power, authority or officer of this Territory, but to the officer appointed for that purpose by the United States.

So far as the expenditures by the Secretary of this Territory are concerned, the department at Washington has been highly satisfied, as indeed it has had good reason to be, for a considerable balance of unexpended means has been heretofore returned to the U. S. Treasury.

The provision of the law, then, about the limit of expenditures of the amount appropriated by Congress, is for the government of the disbursing officers, not for any action by the Legislature or their officers. If the Assembly wishes the Serjeant-at-arms to keep an account of the distribution of articles to be paid for out of the Territorial Treasury, it can do so, although nothing is furnished except by order of the Assembly, but over the other matters it is clear that the Legislature has no jurisdiction.

The Secretary, now Acting Governor, has given good satisfaction to the Assembly heretofore, and we have no reason to believe that he will appear in another light during the present session. However, we think with the member from Cache County, who introduced a Resolution a few days ago on the subject, that better desks might be furnished to the House than the old mutilated and rickety concerns that have served for so many years, and we hope that authority will be given to the Secretary, if he does not now possess it, to make the necessary provision in this respect. The other matter, in our opinion, ought not to be pressed.

THE CONTEST.

THE subject of the admission of Hon. George Q. Cannon to the seat to which he was elected by the people of Utah receives consideration from most of the newspapers. It is generally conceded that "polygamy apart" he is undoubtedly entitled to the seat. We have shown on several occasions that Mr. Cannon's marriage relations, have legally nothing to do with the matter, as the law of 1862, which is the only one in force here on the subject does not affect him in the least, and there are none of the qualifications of members of Congress, provided for by law, which he does not possess.

The *National Republican*, published at Washington, has a long article on the subject, which we may reproduce at another time, but from which, to-day, we only have space for the annexed extract:

"As to the result of the Cannon-Campbell contest, there is not much doubt but that the former will be seated. Despite the fact that he is a Mormon, he has many warm personal friends in the House. A republican member of the House committee on elections, who had been investigating the matter, said before the case was referred to that committee: "The only charge against Cannon is that he is not a naturalized citizen of the United States, and that cannot be sustained. If Murray had omitted one little thing in his certificate to Campbell the result might have been different, but as it is I see no other way of settling the case than to seat Cannon."

The "one little thing that Murray omitted" could not have been inserted without straight lying easy to be perceived.

The Sacramento *Record-Union* says, editorially:

"The proposition to admit Campbell to a seat on the strength of his possession of a certificate alone, was certainly not merely an immoral but a very dangerous one. For if Congress recognizes the right of Governors to make Congressmen as Governor Murray undertakes to do, it will lose control over its own most important prerogatives, and may in a short time come to be 'packed' from outside. It is therefore just as well that the case has been sent to the Committee on Elections, which committee will, if it is wise, report against the admission of either of the present consestants, and in favor of a new election in Utah. That is the only equitable plan that can be adopted, and moreover it is the only plan which protects the rights and privileges of the House against usurpation."

There is no reason under the sun for ordering a new election except to pander to the anti-polygamy and anti-"Mormon" popular outcry. A dispatch to the San Francisco *Chronicle* says;

"The indications are that the House committee on elections will send the Utah case back to the people of that Territory for another election. There is a strong pressure from the churches in behalf of Campbell, which the committee do not know very well how to resist. They don't like to give the seat to Campbell, in the face of the large majority of votes cast for Cannon, and they will probably conclude to hold the election over again as the easiest way to dispose of the case."

The committee is not to report on "the easiest way to dispose of the case," but who is entitled to the seat of delegate from Utah. The Cleveland *Journal* has the following editorial:

"The House of Representatives decided on Tuesday to take no decisive action concerning the disputed Utah seat until the case had been reported on by the committee on elections. Two questions will be considered by that committee; the comparative value of the Governor's certificate and the official transcript of the election returns, and the legality of the document purporting to be a certificate of Delegate Cannon's naturalization. The latter is the real point on which the case turns, because the Governor's certificate was withheld from Cannon and given to Campbell on the ground that all the votes given the former were void on account of his not being a citizen of the United States."

Whether the committee will take into consideration the polygamy feature of the controversy is uncertain. An attempt was made on Tuesday to instruct the committee to do so, but the motion was ruled out of order, although the sentiment of the House was apparently strongly against giving any countenance to polygamy. The endeavor to accomplish the object by passing the instructions as an independent declaratory resolution was defeated by adjournment. There is a prevailing impression at Washington that the case will be disposed of by annulling the election and referring the matter once more to the people of the Territory. That course will not dispose of the difficulty, for should Cannon be declared ineligible through defect in his alleged naturalization papers, some other leading Mormon equally obnoxious to the charge of polygamous relations, will be chosen in his stead."

THE PREVAILING TOPIC.

THE questions before Congress concerning Utah are of as much if not more interest to our readers just now than any other, therefore we have devoted a considerable portion of our space to the subject of the Delegates' seat and other matters which have been brought forward with a view to prejudicing the main issue. And from the attention given to it by the press of the country, it seems that the interest in it is general.

The following report of an interview with Mr. Cannon is from the New York *World*. We do not vouch for its correctness, as it is well known that professional "interviewers" frequently interpolate remarks and notions of their own