

## EDITORIALS.

## BOULANGER'S THREATENED DOWNFALL.

AN ugly story comes from France. It seems that an aged general in the army, named Cossart, has been convicted of what is a grave offense in military circles—that of selling decorations, badges representing meritorious service. When properly considered, it is also an offense against decent conduct in any department of life, as it labels with the insignia of the government a fellow who may never have "set a squadron in the field nor the division of a battle knows more than a spinster," and thus the nation's guarantee of sterling qualities, priceless in itself, is made merchandise of. This is very bad, but it proceeds from that to worse by dragging in the modern Marshal Ney (in expectation) General Boulanger. Perhaps France never had a public man in whom more genuine confidence was reposed by the people generally than he, and if he should fall like Lucifer to rise no more, there would be such a condition of moral and social confusion prevailing in the country as has not been seen since the surrender of Emperor Napoleon at Sedan.

Details are wanting, but it seems that Boulanger is accused by General Ferron, minister of war, of being in some way privy to the disgraceful business, which the former firmly denies and courts the fullest investigation. In the meantime he has resigned his command in the army, which has been accepted, and he has in addition been placed under close arrest for the period of thirty days.

Unless this is all a malicious invention of the enemy, as Boulanger pronounced it when it first started to circulate, a bright and shining star will be blotted from the French firmament, and the surging patriotism of the masses which has been at the point of bursting its bounds and sweeping everything German from west of the Rhine, will be apt to simmer down to the point of actual torpidity. The French as a race must have a name to conjure with, and they had it and were satisfied with it. To erect another idol will require the work of great minds for a long time to come, and in the meantime the arts of peace may resume their sway and take a firmer hold.

Other influences are at work, however, but what they will amount to is a question to be determined only by experience. It is proposed by a number of Boulanger's friends to place him before the electors of his arrondissement as a candidate for the Assembly, and he would doubtless be elected; but even then, his light will have gone out or nearly so. It will be as if would have been with General Grant or General Sheridan in the United States Senate; they were able to cope with and conquer adversaries in the field, but would have made a sorry figure attempting to "hold their own" in that forum where quickness in debate, readiness in discussion and profundity in conclusions are the chief requisites. The Frenchman who has so gloriously reconstructed the army of his country and so rearranged the system of frontier defenses that a fox could scarcely pass them, would be apt to sit among the grave and reverend signors of the Chamber of Deputies with a feeling somewhat akin to that of a whale in a brook—not entirely out of his element and not sufficiently in it to do himself or his kind any good.

Personally, General Boulanger is accomplished, affable and handsome. He is not deficient in military experience, as many are led to suppose because of his name having so recently become known abroad; on the contrary, he is a thorough soldier, having served as a boy with Bazaine and MacMahon at Sedona, Siliistra and other noted battlefields of the war between France and the allied powers in 1870; has rendered service in Algeria, and was, if we remember correctly, a brigade commander in the Franco-German war. That he did not distinguish himself is well known and the causes of it are to some extent well understood. The war against Germany was Napoleon's, not the Frenchman's; his dynasty was tottering and a successful war would alone prop it up and hold it together for another generation. In order that his personality might be impressed upon every feature of the campaign, he personally led the attack and formulated the principal plans, taking no counsel from the gray-headed veterans with whom war was as a game of chess, and with such men set aside confusion thrice confounded and disaster following disaster soon produced a condition of things out of which order could not come, and personal valor was unheeded amid the scramble for a foothold anywhere. It swamped Bazaine, MacMahon, Trochu, Froissard, and a number of others, and gave a still greater number no opportunity for distinction. This is why Boulanger did not come to the surface, and why, when he did come, it was not as the hero of hard-fought battles, but as the genius whose accomplishments imparted to his native land a sense of security against all without and of self-reliance to all within such as it had not known since the overthrow of the bloody Triumvirate.

It would seem to the unprejudiced thinker that France would do well not to add enforced retirement to banishment in Boulanger's case, unless such action becomes imperative. It is much better to have such men and not want them, than to want them and not have them.

## THE FALLIBILITY OF COURTS.

THE fight in Virginia over "repudiation" has developed a feature in jurisprudence of interest to the people of Utah. It gives evidence of the fallibility of the highest judicial authorities in the land. It is considered treason in a "Mormon" to express views opposed to the opinions of the majority of a court of final resort. But that such courts occasionally render decisions contrary to justice and sometimes to law, cannot be denied in the face of history and experience. "When doctors disagree who shall decide?" is a trite query. When Supreme Judges disagree who may not dispute on a legal question? And is not a Judge as much a servant of the public as an official in any other department of the government, and are not his official acts equally open to public criticism?

The death of Justice Woods, of the Supreme Court of the United States, leaves the highest judicial tribunal equally divided on the powers of the Federal Courts over officers of a State, when the latter choose to obey a State law in preference to a mandate of a Federal Court. The history of the case which occasioned this division of opinions is, briefly, as follows:

In 1871 the Legislature of the State of Virginia passed an act providing that coupons of the bonds issued by the State should be taken, after maturity, in payment for State taxes. In 1872 another act prohibited collectors from receiving anything but cash for taxes. On appeal to the courts the coupon holders obtained a victory, for the repudiation of the coupons was held to be unconstitutional, because it "impaired the obligation of a contract." The Supreme Court of the United States sustained this view, as held by the State Court of Appeals. It took till 1880 to reach that decision.

In 1882 another act was passed, designed to dodge this issue. It provided that coupons should be taken by the tax collectors when tendered, but that pending an investigation as to their genuineness, money should be paid in full for the taxes due, to be recovered by the taxpayer when a favorable decision on the coupons should be reached. The Supreme Court of the United States, Justice Field alone dissenting, pronounced this good law. But in a subsequent suit, that august tribunal decided that when a taxpayer tendered coupons and refused to pay money, the collectors could not levy upon his property to recover. And to make the position still stronger, the court ruled that suits might be brought against the officers of the State in the Federal Courts, to enjoin them from levying when coupons had been tendered.

It was on this that the court of last resort divided. Five were in favor, four dissented. The dissenters stood on the ground that under the Eleventh Amendment of the Constitution the Federal Courts were barred from exercising any authority in suits against either of the several States. Justice Bradley, for the minority, argued that State officers have no power but what the State gives them. They act for and on behalf of the State, and in no other way. To sue them, therefore, is virtually to sue the State. The whole object is to coerce the State. It is idle to say that the proceeding is only against the officers. And he went on to say:

"These suits are attempts to coerce a State by judicial proceedings. They are that and nothing else. It is useless to attempt to deceive ourselves by an adroit use of words or by a train of metaphysical reasoning. We cannot in that way change the nature of things."

This is the first time, we believe, since the eleventh amendment was adopted, in which a State has been coerced by judicial proceedings at the suit of individuals in the federal courts. That this is such a case seems one of the plainest propositions that can be stated.

The majority contended that suits against the officials were not actual suits against the State for which they acted, and that the Federal courts must have power to enforce their own decisions when State officers proceed unconstitutionally. Since that decision was rendered, one of the majority has passed to another and higher jurisdiction, and now the Supreme Court of the United States stands evenly divided, so far as is known at present, on this very important and unprecedented question.

In 1886 the Virginia legislators passed an act prohibiting a verdict in suits in favor of coupon holders tendered, unless the bonds for which they were taken were produced in court. Last May this was supplemented by another act requiring the District Attorneys of the State to bring suits against delinquents who had offered coupons for taxes but had not paid money. The protection of the United States Circuit Court was asked, and injunctions were issued forbidding the attorneys to proceed under the State law, which violated the ruling of the majority of the United States Supreme Court.

And now an application for a writ of

*habeas corpus* is pending before the court of last resort, which will bring up the same question in a new shape. And it depends largely upon the views of the individual who shall be appointed to succeed the late Justice Woods, how the case will turn. Thus a most important question, affecting the powers of the General Government over the authority of a sovereign State depends upon the opinion of one, may we not say, fallible man.

It appears that the District Attorney of the State of Virginia, Mr. Ayres, and one of his assistants who with him has been sent to jail for contempt in disobeying the order of the Circuit Court and refusing to pay the fine imposed, do not agree with the Supreme Court of the United States. According to anti-"Mormon" logic, is not this "treason" of the rankest kind? And what about the four Justices, with Judge Bradley for their spokesman, who also considered the decision of their five colleagues bad law? It may be said they had a right to think differently from the others. But here are the legal representatives of a State not only dissenting from a decision given by the court of last resort, but actually resisting it.

It will be curious to note the conclusion at which the Supreme Court will arrive, when the new Justice applies the weight of his knowledge and experience to the question now hanging on an even balance. If he joins with the dissenters, then the "infallible" decision of the Court will turn out to have been not only fallible but a gross error. It all depends which way his single vote shall be cast.

We do not refer to this case to throw any discredit on the highest tribunal of the land. We merely wish to show that to differ from it or a part of it may be perfectly consistent, and also that it may occur, as in this Virginia suit, that actual resistance to the conclusions of that court may be necessary to test their propriety and validity. Whether the Virginia officials shall gain or lose their cause, they have acted on their convictions, and instead of being denounced as "traitors" and guilty of "treason," sensible people will see that they have proceeded on principle and not in the spirit of criminal lawlessness. And therein is a lesson for some people not a thousand miles from this city.

## A MEMORABLE VISIT.

WITHIN the man who is now President of the United States was a little boy, whose only occupation was the traditional daily snail-pace tramp to school and back, the lady who presided over the White House—Mrs. James K. Polk—was in the zenith of a well-deserved national popularity. She was accomplished and winsome, and made all callers at the White House with whom she was confronted feel quite at ease. That was some forty years ago, but Mrs. Polk is still a well-preserved lady living at Nashville, Tennessee, about sixty-five years of age. On yesterday (Sunday) she received a call from President and Mrs. Cleveland, and this was not the least notable or enjoyable event of the President's tour. The present lady of the White House did not reach this terrestrial sphere till nearly a score of years had passed after the former had retired from it, but they met yesterday on common ground and perhaps the great difference in their ages was not noticed at all amid the genuine gratification of the time. Perhaps Mrs. Cleveland may have taken a furtive glance ahead and for an instant seen how far positions are transient and honors fleeting, just as Mrs. Polk may at the same time for a second only have again realized it. But it was all in all a pleasant interview, and we are glad the President had time and did not forget to make the call.

## WHY "MORMONS" ARE NOT CONVERTIBLE.

THE Minneapolis *Sentinel* of late date has a brief article on "Mormon" Church dignitaries. In which it essays to give the number of Bishops, Teachers and Deacons with whom it considers "Utah is superbly stocked." And it adds:

"It is about as difficult to convert a Mormon as a Chinaman, and it seldom occurs that one of them is more than half redeemed from the error of his ways."

It may be surprising to many that there are so many persons in the Church of Jesus Christ of Latter-day Saints who have been ordained to the Priesthood. But this would not appear so strange if the genius and object of what is vulgarly called "Mormonism" were correctly understood. The Priesthood is widely bestowed because it is expected that all who embrace the Gospel, in these pioneer times of the Latter-day work, shall become witnesses of the new dispensation and active laborers in the field of proselytism. Every man who has been warned is commanded to "warn his neighbor." The faith he embraces has to be proclaimed to every nation, tongue and people. And it has to be done quickly, because the Lord has declared he will "cut his work short in righteousness." When people talk about the "rule of the Mormon Priesthood," they do not comprehend that they are really speaking of self-rule, for the Priesthood in

this Church is extended to the large majority of its male members.

God designed to make Israel in olden times "a nation of Kings and Priests." He intends to carry out this design in regard to His Israel in the latter days. The present generation of "Mormons" have a great work before them, and they can not perform it without the authority that belongs to the Priesthood, which is divine authority given to man, for the purpose of declaring the divine will and aiding in the accomplishment of the divine purpose. Those who aid in this labor will share in the great reward which will follow it as surely as the harvest results from the sowing of the seed.

It is true that it is very difficult to convert a "Mormon" to another faith; also that those who seem to be converted are scarcely ever genuine members of any sect they may have joined in appearance. Why is this so? For one reason because every "Mormon" who has become truly a member of this Church, receives an inward witness of the truth of his religion. And that is of so powerful and impressive a character that it enters into his whole being and becomes part of his very existence. It is beyond and above and superior to mere human reason, and yet is harmonious with it and does no violence to it. And he is able, with the standard thus furnished him, to compare and gauge and test every other creed presented for his acceptance. He can see through it, discover its defects, detect its deficiencies, and repudiate its errors.

The creeds of the sects have no attractions for one who has truly sensed "Mormonism," because whatever of truth there is in any of them—and there is some in all—is embodied in the system he has accepted. And that is so constituted that truth of all kinds and from all sources naturally gravitates to and assimilates with it. "Mormonism" is truth's magnet, and everything that is true in Christendom or Heathendom, in the religious, scientific, social or political universe, moves toward and attaches to it. But it repels error and exposes it with a force and a light that reveal its own divinity.

Every man-made religion becomes insipid and insufficient to one who has tasted of the sweet and soul-satisfying influences of the faith called "Mormonism," which is so far-reaching, comprehensive and absorbing as to dwarf and render flavorless all others by comparison. There is not a need of man's internal nature, which reaches out to Deity and eternity with unutterable longings, that "Mormonism" does not furnish the means to supply. And it opens up such a vast field for human contemplation and spirited investigation and enjoyment, that the little, contracted, contradictory and feeble creeds of the sects appear like distorted notes in the sunshine of its glory or foam-gouts on the shores of its boundless sea.

The average "Mormon" knows all about the doctrines of the various denominations, and has satisfied himself as to their origin and value. He has "weighed them in the balances" and found them "wanting." The very Scriptures that they set up as the only standard, are to him the evidence of their error. They are all below the Biblical mark. They are lacking in form, spirit, principle, ordinance, authority and power when brought to the test of the New Testament. If other people are contented with their puerilities he has no quarrel with them on that account, but it makes him smile when they ask him to substitute their guess-work and vague beliefs for the living faith with which he has been quickened, and the knowledge and certainty on which his feet are grounded as the rock of his salvation.

If one who has been an active member of this Church loses his faith through negligence or transgression, from doing what is wrong or refraining from what is right, he cannot consistently and truthfully affiliate with either of the sects, because he knows better. If he joins one of them, it is usually from motives that will not bear the scrutiny of the All-seeing Eye. He may become honestly skeptical in regard to all religious systems or organizations, but he cannot conscientiously accept either of them as divine after his "Mormon" experiences. The "light that was in him" may have "become darkness," and thus faith have been extinguished by the fire-damp of sin or the effects of duty unperformed, but he can have no genuine belief in creeds that he has sounded to the depths and found to be hollow and human instead of substantial and divine.

It is the failure to make desired impressions on the "Mormon" mind that fills the souls of so many professed "Christian" ministers with malice and malevolence. They can find no words too bad to speak against the "Mormon Priesthood" because they cannot supplant them. Denunciation takes the place of argument and misrepresentation the place of exposition of alleged error. And this is why the efforts of persons sent here by the power of eastern money to proselyte, are chiefly and almost entirely directed to the rising generation among the Latter-day Saints. They recognize the hopelessness of turning a live "Mormon" from his faith and the feebleness of their own creeds in comparison with his, but perceive the likelihood of impressing the juvenile mind, and thus, under pretense of secular educa-

tion, they endeavor to lead them into the devious paths of sectarianism.

All this, to an observing mind, should be indicative of the superiority of "Mormonism" over other religious systems. It shows that it has a force as remarkable as it is tenacious; that there is something more to it than is generally supposed; that it is worth investigating; and that it is destined to become, at some not distant time, a subject for earnest and impartial study instead of an object of common denunciation.

## EVIDENTLY A MISTAKE.

THE Denver *News* contains the following in the form of a special from Maysville, Ark., dated Oct. 15th:

"A Mormon Elder named Rea went to the house of a stockman named Whitworth, twenty miles from here, and secured lodgings for the night, representing himself as a colporteur traveling for a book firm in Chicago. When his true character was discovered he was ordered away, but declined to go and resisted the efforts of Whitworth to eject him. Securing a shot gun Whitworth pointed it at Rea, telling him to go or he would shoot him, when Rea caught the muzzle of the gun and turned it toward Whitworth. The weapon was discharged, the contents entering Whitworth's breast. The wound is thought to be mortal. Rea has disappeared."

There is evidently a mistake regarding the person alleged to have caused Whitworth's death. He evidently was not a "Mormon" Elder, for the following reasons: There is no Elder of the Church by that name in a missionary field in any part of the country, and it is pretty certain that there are no Elders whatever in the State of Arkansas. Besides, "Mormon" missionaries never represent themselves as colporteurs traveling in the interest of any house of Chicago or elsewhere.

It is possible that the person involved in the shooting affair mentioned in the dispatch may have been an Elder of what is popularly known as the Josephite Church, as it appears that some of the representatives of that sect were, according to some late dispatches from Fort Smith regarding an alleged scandal, operating in Kansas.

## THE EXPERIMENT ENDED.

ANOTHER visionary communistic enterprise has terminated in disaster to the participants in it. A few days ago a brief telegram was sent from the colony of Topolobampo, Mexico, to the Secretary of the Navy at Washington: "Where is the ship you promised us?" Colonists are in a starving condition." Further advices state that the remnant of the misguided colonists numbering about one hundred souls, and embracing men, women and children, are in a pitiable condition. They are reported as having nothing to eat but dried corn, and very little water for drinking or culinary purposes, and what they have is salty or brackish. The declaration is made that, unless the United States Government comes speedily to the aid of the wretched community, its members will perish from hunger. The above official dispatch indicates such to be the case.

The science of colonization, as illustrated by history, teaches that when a community separates itself from the rest of mankind, and migrates to a remote region, there to erect a commonwealth of its own, its success must depend upon a higher motive than mere pecuniary gain. When the latter is the mainspring of the movement, selfishness, being the actuating force which moves the body, is likewise the impulse which inspires its members; hence the patriotism, fraternal feeling and devotion to the general good, which are indispensable elements of success in founding a state or an empire, are absent.

Virginia and Massachusetts are excellent examples in point. Wealth, intelligence and political prestige were among the elements of strength and guarantees of success with which the colonists of the former left England; and a mild climate, rich soil and abundant natural resources were the assurances of prosperity which they met with in the new world. But misfortune and disaster formed the main part of the history of the early settlers of Virginia, up to a period when a class of immigrants joined them, who were actuated by other than pecuniary motives. The foundation of the great State of Virginia could not be successfully laid until a love of liberty and devotion to religion became ingredients of the cement that united its corner stones to their fellows.

Massachusetts, on the other hand, was founded by colonists whose wealth was wholly of the spiritual kind. So far from having the aid of riches or political prestige, they were in utter poverty, and were fleeing from religious and political oppression. Instead of natural advantages to the colonists in the way of products and climate, they found, on landing, a rock-ribbed coast and a stony soil. The elements co-operated with the aborigines to effect their destruction. But faith in God and a love of liberty were elements of strength