

We are indebted to Elder Orson Pratt for a copy of the following highly interesting letter to Governor Shaffer, and though we cannot endorse the writer's views in every particular, we have much pleasure in giving the letter publicity, evincing as it does far broader, unprejudiced and enlightened ideas of the great question of patriarchal marriage, than we usually meet with in those who differ with us in religious views.

It is but justice, however, to Governor Shaffer to say that from the best information we have been able to obtain, the garbled statements contained in the telegram upon which the writer bases his remarks do not contain the real sentiments of that gentleman with regard to "the situation" in this Territory.

A letter from Wm. K. Griffin, of Equality, Illinois, to Gov. Shaffer, of Utah:

I saw, a few days since, a brief notice of your arrival in Utah, and of your publicly expressed intention of enforcing the laws of the United States there; which I suppose means, more especially, the laws against polygamy. Though an obscure citizen, I am induced by considerations of humanity, to offer for your serious contemplation, some criticisms upon the present popular theory of enforcing laws simply because they are laws; and also to offer some apology for the venerable institution of polygamy.

It was not long ago said by a person of no less eminence than the President of the United States, that "the surest way to get rid of a bad law is to enforce it." This may be true; but it is often a very cruel way. The breaking up of the polygamous families of Utah, may afford fine amusement for executive officers, and for those by whom they are employed; but it will prove far otherwise to the victims. The women and infant children who shall be deprived of their natural male protectors, and shall be cast adrift upon an unsympathizing world by your official acts, will seem to appeal to the humanity of their persecutors, as did the frogs in the fable: "You do not consider that though this may be sport to you, it is death to us." The story of their wrongs will go down upon the pages of history, to be judged by a more liberal and enlightened age than this.

The long-continued toleration of free speech and of a free press, has been highly favorable to the development of conscience and reason; but it has greatly weakened the authority of precedent—of ancient standards and rules of government. Free discussion has proved unfavorable to conservatism. By the more progressive and enlightened reasoners, enacted laws are no longer regarded as legitimate objects of blind veneration. The corrupt source from whence they spring, precludes any such claim upon our unqualified respect. Laws are undoubtedly necessary; but they are a kind of necessary evil, and require to be enforced with caution and discrimination.

If laws were always enacted by the unanimous voice of the whole people, there would be some excuse for their rigid enforcement. But there is often a numerous, and still oftener a very intelligent, minority, whose voice in the government is entirely ignored. Are not the conscientious convictions of such minorities entitled to some respect? That a government which, at every step of its progress, ruthlessly casts overboard a grumbling minority, can long survive, is a problem not yet satisfactorily solved. Time and experience have exposed grave defects lying at the heart of our political system, and the wise and prudent magistrate will not be too anxious to subject so imperfect a system to an unnecessarily severe test. It is, indeed, a hopeful omen that, of late years, executive officers, juries, etc., not unfrequently assume the responsibility of exercising a kind of discretionary power. They adhere less scrupulously than of old to heathenish oaths, to demagogue-begotten laws, and allow themselves instead to be governed somewhat by the higher faculties of reason and conscience. This increasing influence of the public conscience has a tendency to diminish to some extent the political evils complained of.

It seems to me a self-evident moral axiom that a criminal law should never be enforced simply because it is the law. If it is not obvious that some good will result to individuals or to community at large, or some evil be averted, then it is certainly better that the law, in that particular case, should remain a dead

letter, than that its penalties should be inflicted upon our peaceful, well-disposed and useful fellow-citizens.

With a conscientious, intelligent and independent magistrate, the righteousness of a criminal law will always be a subject of consideration. He will look upon enacted laws simply as instruments for the enforcing of what he believes to be justice. He will regard such laws, not as his master's, but as his servant's; and he will enforce them or not as justice seems to demand. Had you been an executive officer in the days of the Salem witchcraft, (possessing at the same time your present intelligence,) would you have lent your aid in inflicting the murderous penalties for that imaginary crime, simply because you were bound by your oath and by the law to do so? And did it ever occur to you that we may, even at this day, have, in our statute books, laws, which, to our descendants, 200 years hence, will appear quite as absurd (if not quite so cruel) as does the witchcraft law of our Puritan forefathers now appear to us?

These teachings you will regard as political heresy; but they will impress you, I hope, as being tempered with humanity and common sense. They are the unwritten laws of conscience, without whose humanizing influence many of our written laws would become an unbearable oppression. Conscience is an obstinate opponent. When the awakened conscience of the nation pronounces against the law, that law is ignored at once and repealed at leisure. Such was the fate of the fugitive slave law, and such I hope and predict will be the fate of the not less inhuman anti-polygamy law which you propose to enforce.

It is gradually becoming a political maxim among the more advanced and logical thinkers everywhere, that the social and sexual arrangements voluntarily entered into between individual men and women are not fit subjects for legislative dictation. Within the last few years there has been a marked tendency in the public mind to favor a more liberal and natural marriage system, and to look with comparative indifference upon the frequent violations of our stringent sexual laws. Laws against fornication, adultery and bigamy are no doubt to be found among the statutes of every State; but it is only occasionally and in extreme cases that such laws are now enforced. It is only when it is obvious that somebody's just rights have been encroached upon, or when somebody has been damaged by fraud, by deception, by contagion, that legal steps are taken to interfere with sexual freedom. And this indulgent course has not been pursued by the local authorities alone, but by the general government as well. The fact that the Mormons have been suffered for the last twenty years to openly practice polygamy is a conspicuous illustration of the generous policy which has, during that period, emanated from the highest wisdom of the nation. Had Congress been determined to crush out polygamy in Utah, it could have done so long ago much more easily than at present.

As to the Mormons—their religious and social concerns, I know little, except what has come from the pens of their enemies, for rarely indeed have our public journals been open to their defense. I do not propose to discuss the merits of their religion, of which polygamy, by them, is claimed to be a part. In the eyes of an impartial government a man's convictions are equally sacred, whether he calls them religion or gives them some other name. It is sufficient to say, that, to the minds of the cosmopolitan, the original story of Joseph Smith and the gold bible is not more incredible or absurd than is the story of that other and more ancient Joseph, who dreamed that an angel told him that his intended wife was pregnant by the Holy Ghost, and upon which dream our own so-called religion was originally based.

But the question of polygamy (in a worldly sense) is one that can no longer be evaded. The Mormons are not the only party interested. In the older States there are hundreds of thousands of marriageable women to whom marriage (under the monogamic system) is impossible. There are no unmarried men for them. These patient sufferers—victims of a cruel civilization—undoubtedly have rights which we, as humane and honorable men, are bound to respect. I do not mean the right to vote; but I mean the right to fulfil, unharmed, the highest destiny of their existence—the right to become mothers without incurring public disgrace and without subjecting themselves and their male protectors to the penalties of en-

acted laws. Is it strange that some of these women, whose strongest instincts and highest aspirations are ignored by our laws, by our religion and by our conservative opinions, should embrace the new religion of Mormonism, which opens its doors to the relief of their physical wants and offers a sovereign preventative against involuntary old-maidism and involuntary widowhood?

Be assured that the wisest and most honorable way (and probably the surest) to prevent an overgrowth of polygamous Mormonism, is to admit free and fair competition—to make ample legal provision for the marital wants of our surplus women everywhere. If polygamy, or a system of permanent concubinage were legalized, (restraining or punishing those only who should be unable or unwilling to make due provision for the results of their sexual alliances,) I have no doubt that the general welfare and happiness of both sexes would be greatly promoted; and that the practice of feticide and promiscuous prostitution would be vastly diminished. There are, no doubt, men enough who are both able and willing to provide for and husband all the marriageable women; and the law, by interfering with this natural and wholesome coalescence between the sexes, indirectly lends its aid to that foul monstrosity of our civilization—professional prostitution, and its necessary concomitant, the venereal contagion.

In a monogamic community, the most frightful bugbear which presents itself to the imagination at the first thought of a plurality of wives, is female jealousy. But it is questionable, after all, whether female jealousy, which we find so rankly developed under our single-system, is not more the result of education than of instinct. It is indeed probable that this evil passion has, by the fostering care, through successive generations, of law, religion and public opinion, been nursed into a monstrous morbid growth. In countries where polygamy has long been an established fact, it is doubtful whether the man of several wives is so much annoyed by female jealousy as is his Christian antipode with his single wife.

There is really nothing in the nature of things to justify the passion of jealousy in woman. A man's natural love for his offspring begets in him a desire to recognize that offspring beyond suspicion. This justifies him in watching over his female companions, and scrupulously guarding their exclusive loyalty to him. But with woman, no such legitimate cause of jealousy exists. As to the maternity of her children she cannot be in doubt; she cannot be cheated. While she has many conceivable opportunities of defrauding the reputed father of her child with a counterfeit offspring, he has no conceivable opportunity of defrauding her. His fatherhood depends upon indirect and circumstantial evidence; her motherhood stands upon the incontestable evidence of her own senses.

Polygamy, it is evident, has a natural tendency to improve the race; while it is equally evident that monogamy has no such tendency. This is an advantage worthy of the grave consideration of the progressive philanthropist. Under a free polygamous system, superior men would attract a greater number of women than would be attracted by inferior men; and they would consequently father a larger proportion of the children; thus causing a perpetual proportional increase of superior children. The restricting of each man to a single wife, places a wife within the reach of the lowest specimen of male humanity; with the chance of propagating his like to the same extent that is enjoyed by the highest specimen. It is a notorious fact that there are men not a few, who, either from natural defects or acquired vices, are quite unfit for husbands; quite incompetent as the guardians of families. Yet, by our present legal restraints, excellent women have often, as the only alternative, to accept of such, with the sure prospect of a life of poverty, and of a progeny degraded and ignorant.

Were men and women left in a measure, free to act according to the dictates of reason, we should have less of that morbid sentimentality, which is born of sexual starvation, nursed by novel reading, and doomed to find its grave in the marriage bed. Woman would no longer sell her birthright for a mess of pottage; she would no longer sacrifice the prospective welfare of her children for the transient gratification of her own selfish passions.

It may never become entirely practicable, but it is certainly desirable, that children should be begotten by the best specimens of male humanity, and be borne of the best female specimens.

The natural tendency of a judicious system of polygamy would be to approximate to human perfection. In this way the considerate polygamist, looking forward to the welfare of his offspring, would encourage child-bearing with his more perfect wives and restrain it, somewhat, in those less fortunate.

Another advantage of polygamy would be the more equitable distribution of property. Because wealth would favor polygamy and polygamy would increase the number of heirs, and thus would be avoided the individual inheritance of vast fortunes, which is a universally acknowledged desideratum.

I have said but little of what might be said in apology for this time-honored institution; but enough I hope to convince the candid reader that it ought not to be condemned without a patient hearing. Let it be discussed as the slave question was discussed, and then we shall see what will be the verdict of the enlightened conscience of the nation. Truth is always safe in a fair and open conflict.

It has not been made to appear that the Mormons, in their polygamous practices, have encroached upon anybody's just rights. It has not been shown that their wives are less free, less kindly treated, or that their children are less amply provided for and educated than are the wives and children of their monogamic neighbors. Where then is the justice or the necessity of invading their peaceful firesides, of violating the sanctity of their family circles, to enforce a law in the making of which they have had no voice?

In conclusion, then, let me suggest that even-handed justice, tempered with humanity, can be meted out to these harmless polygamists so surely and so well in no other way, as simply to let them alone. It is this principle of scrupulously minding one's own legitimate business that lies at the foundation of the peace and order of society. Its importance is second only to the golden rule. Its violation breeds strife, anarchy and war. It is a principle not less binding upon the Executive officer of the Government, than upon the private citizen. That each private citizen should mind his own business, is a universally acknowledged duty. It is certainly not less the duty of all those who claim to be the conservators of the public peace, to interfere with the private affairs of others, so far only, as is requisite for the preservation of the harmony and welfare of the community over which their jurisdiction extends.

Original Poetry.

Addressed to Sister Mary D. Yeager, on the Death of her Sister, Rebecca D. Eldredge.

Oh, why should we mourn for the dead?
The dead? no, no, they but sleep,
Sweet angels are guarding their bed
And these vigils they ever will keep;
Till the trumpet that calls for the just,
The just that in Jesus have died,
Shall arise from their bed in the dust
Forever with Christ to abide.

The corruptible then will they leave,
In corruption their portion will be,
The mortal no longer shall cleave,
Immortality then makes them free.

Through the eye of our faith let us view
The glorious state of the blest!
This glory's for me and for you
With our lov'd ones in mansions of rest.
Yes—rest from the sweat of the brain
And rest from the sweat of the brow,
And rest from the heart-ache and pain
And rest from the labors of now.

Not rest such as indolence brings,
But such as intelligence owns,
Such as might and capacity flings
Around glorious and beautiful homes.

Then mourn not dear friend for the dead
In her grave let her peacefully rest,
No more let your sorrow be fed,
She went by her Father's behest.

She is safe near His glorious throne,
She basks 'neath His heavenly eye,
Shall we mourn she is safe in her home
And over her blessedness sigh?
That she's closed her probation on earth
That trial and sorrow are o'er?
Then husband, and father, and sister rejoice

That your lov'd one will suffer no more.

S. L. City, HANNAH T. KING.
April 3d, 1870.