

Empress Eugenie. This afternoon he will visit the House of Commons, and this evening the Crystal Palace, where, in addition to a special concert, will be given a grand display of fireworks.

MORMON POLYGAMY.

The *bete noir* now agitating the public mind is polygamy, which is still prevalent in Utah, although it does not exist to the extent generally supposed. Probably throughout the territory one man out of five or six may have more than one wife. In some settlements a polygamic family cannot be found at all.

"Sin," says Shenstone, "does not consist in any deviation from received opinion, it does not depend upon the understanding, but the will. Now if it appear that a man's opinion has happened to misplace his duty, and this opinion has not been owing to any vicious desire of indulging his appetites—in short, if his own reason, liable to err, has biased his will, rather than his will contributed to bias and deprave his reason, he will perhaps appear guilty before none beside an earthly tribunal." I commend the casuistry of this old essayist to the candid consideration of my Mormon friends. If any one of them can truly say that he is a polygamist not "owing to any vicious desire of indulging his appetites," then he is merely a criminal, not a sinner.

Rev. Dr. Newman, and all such men, make a great mistake in discussing polygamy on its religious merits, unless they are willing to throw the Old Testament overboard altogether—at least that part of it which they cannot disprove.

While advocating its abolition as soon as natural causes will bring it about, without detriment to the happiness and welfare of families, the good of society, and the peace of the country, I am forced to admit that its consequences are not altogether so horrible as they are often represented to be.

There is nothing so good that it may not be abused, neither is there anything so bad that it may not be of some use. Polygamy surely is bad enough, but the Mormons claim for it this merit: it annihilates what is called the "social evil," by making comparatively respectable women of girls who might otherwise be prostitutes. This vice, excepting in communities largely composed of Gentiles, does not exist in Utah, and even there it is kept down by Mormon territorial and municipal law.

The women themselves are not averse to polygamy. Among the working classes in the country they say it promotes a division of labor. The Utah farmer's wives do not have the over-worked air of the women of our country districts, who are obliged singly to bear all the children and to do all the work of the family.

And yet Mrs. S. would have us understand that the doctrine is universally execrated by her sex. Doubtless there are many women who are living in its practice with continual abhorrence and disgust. But it must be remembered that Mrs. S. and her husband are apostates. Like all apostates, they are inclined to unmeritedly abuse the faith they once professed. Mr. and Mrs. S. are regarded in Salt Lake City with aversion alike by Gentiles and Mormons. By their own confession they believed in the divine revelation of Mormonism, polygamy and all, with very little scruple or hesitation, until Brigham Young gave them an order to remove to Ogden for the benefit of the Church, and thus to sacrifice a lucrative business.

Then all at once their eyes became opened to the enormities of a religion they had professed and practised for so many years. They found that they could gain more money by abandoning and vilifying it than by remaining its disciples. They have proved that they were either insincere throughout all their Mormon experience, or that they are insincere now.

I was astonished to hear polygamy advocated by ladies of education and refinement, among them a school-teacher, who strongly favored it, perhaps because she was no longer young. At a hotel where I was staying, I met a young married lady of one of the first families of Salt Lake. Two of her intimate friends were with her. One day, when they were out of the room,

she asked me, "What do you think of A?" "She is a charming girl," I replied. "Indeed she is," exclaimed Mrs. B. "I do wish Mr. B. (her husband) would marry her. I should so like to have her with me all the time!"

The Mormon ladies believe that in the other world a married woman arrives at a high sphere than an unmarried one, and that one who is willing that her husband should have another wife has a still higher place. The men share in the same belief, and think that the more wives they have the happier they will be in the future.

I know a bishop who said that he really did not want to take a second wife, and his wife did not wish him to marry again, until they both prayed earnestly and fervently over it, and at last became convinced that their eternal welfare would be promoted by the process, and then they concluded to have another woman in the family. I noticed, however, that the conscientious bishop mitigated his reluctance by selecting a young and pretty girl for his self-sacrifice and spiritual good.

Strange as it may seem, the arrangement appears to work better when the wives are sisters. It is not uncommon for a man to marry several of them. Perhaps it is for the sake of having only one mother-in-law. Unless a visitor takes up his residence in a family for some time, he cannot be a judge of its domestic happiness or misery. Even when there is only one husband and one wife, in any community "good faces are always put on before company." Most people are sensible enough to keep their private quarrels out of sight.

A gentleman catechised me in this way: "What do you think of the majority of the women in Salt Lake City—do you think they are virtuous or not, it being understood that polygamy is justifiable?"

"With that exception, I believe there is no city in the world where they are more so."

"How does it compare in this respect with New York or Boston?"

"Most favorably."

"What are the average wages of shop-girls in those cities?"

"I believe about five dollars per week."

"Doesn't it cost them about that for board and lodging?"

"I should suppose it might."

"Where do they get their silk dresses, then?"

"Well, there are many of them who don't have silk dresses; and some of them who do have them get them honestly. A great many of them undoubtedly do what they ought not to do."

"Yes, and wouldn't it be better for them to be No. 2, 3, or 4 in a good family here than to earn money in that way?"

"That's a matter of taste for those young women to consider. I don't think it is polygamy that keeps your women virtuous. It is their simple habit of dress; when fashion asserts its authority in Salt Lake and takes charge of your decks, look out for breakers ahead!"

I have spoken of polygamy sometimes lightly, but I have seen it chiefly in its comical aspects. —*The Mormon Country, by John Codman.*

Notes From Utah Territory—The Co-operative Feature.

One of the peculiarities of the Mormon settlement in Utah has been, from the very commencement, that its inhabitants, from the beginning, located themselves in villages for mutual support and protection against the Indians, wild beasts and all enemies from without, many of which villages, as Salt Lake, were inclosed with adobe walls encircling them; and then occupied the out-lots in common, for pasturing and agriculture. In this respect they followed the customs and usages of Mexican people, who always settle in this manner, and, by this means, the great principle of co-operation became developed. To its practical results is Brigham Young indebted for his wonderful success.

Ogden, Salt Lake, Provo, Manti, Patowan, Cedar City, Lehi, Fillmore, Nephi, City of Springdale, American Fork City, Pleasant Grove City, Spanish Fork City, and numerous other cities, were incorporated even in 1852, and are strung along from north to south, over 300 miles, down to St. George in Dixie, where cotton and tropical plants are grown, and where the climate

is like that of Florida. All the spaces between these cities are filled up with farms, and stock, and all the developments of gardens, ranches, mills and other improvements; and thus each small town is a support and an aid to every other.

Over all this surface of land, this one people, having one head, President Young, one form of government and religion, one bond of brotherhood, one home, one territory, one destiny, have grown up by large yearly accessions from Europe, of 2,500 imported each year, and a very large increase by native born births, until they now count at least 130,000 people, and their estates at least twenty-five millions of property. Over all this region there are now schools, churches, universities, manufactories, and all the accompaniments of religion, cultivation and comfort. Such has been the work of one man in a quarter of a century.

The question naturally arises, how has Brigham Young kept the people together? How has he defended them against want, starvation, the attacks of Indians, the loss of crops and all the incidents of a new territory? The answer is to be seen here, everywhere, in the coat of arms of this people, and the one grand chain that binds them all together. Before me lies in that coat of arms the great secret of Mormon success. In its center you behold the Beehive, indicative of an industry that never tires, of provision in Summer against the cold and storms of Winter; of driving out all drones and idlers, and subjecting every inhabitant to the order and direction of the king bee.

Over this bee hive and enclosing it within its rays of light is the Eye of God; reminding this people that, at all times, in all places, in all seasons, by night as by day, in Summer and Winter, the great Father of Industry is watching over them, and that His eye will see "that as each man shall sow so shall he reap" and that no one of his chosen people shall ever turn their backs upon duty, virtue, industry, and go downward to hell, through the temptation of intemperance, gaming, idleness or debauchery. Across the face of the hive, in great letters of virgin gold, is inscribed those magic letters, "Z. M. C. I." which, like those other wondrous letters, "I. H. S.," written upon the altars of Christ, are the inspiration of this people, and the talisman of success. Zion's mercantile, manufacturing and mining co-operative associations are, day by day, adding quietly but steadily to the wealth, the culture and happiness of this people, and are building up their waste places, opening these mines, sowing these vales and penetrating these mountains. Here you will see what a body of growing people can do by a unity of labor, capital, heads, hearts and minds, all bound together by one common religion, marching day by day under one great leader, keeping tune and time to the music of one great anthem, sung in chorus by a whole people. What other nations have tried in vain to do, in fragments and fractions, Brigham Young has done with this whole people, viz., to make each and every man, woman and child a co-operator with each other, so, like the bundle of sticks, to make the whole invincible, while in parts there would be nothing but weakness.

Whoever comes here and studies carefully the characteristics of Utah, will find that it is this co-operation of prayer, religion, industry, prudence, economy and benevolence, alone, that has enabled them so to triumph and succeed; and that no other people on earth could ever have conquered this desert, and made happy homes here in this valley. At the time they first entered it, so long as they were here alone, four months' journey from the Missouri, and two months' from the Pacific, their number increased, their daily strength grew, and they bade fair, as things then were, to become a mighty, mighty people. But time, that changes all things, and man more than all other things, is now changing Utah and its people. The railroads, telegraphs and daily newspapers are here; the Gentiles are here, and with them have come the drinking hells, gambling rooms, bawdy houses, fashion, extravagance and all the crimes that, of late years, make up the daily record of our people; and they are all united combatants and in active co-operation to make the Mormons destroy their Bee-hive, put out the Eye of God, and scatter to the winds their

former habit of life. In addition to this, the Federal Government has sent here a parcel of officers, "clad in a little brief authority," scurvy politicians, (most of them) who play such high, fantastic tricks before high Heaven as make angels weep. But more anon.

GEO. C. BATES.

—*Western Rural.*

CONTESTED ELECTION TERRITORY OF UTAH.

Geo. R. Maxwell vs. Geo. Q. Cannon.

Argument of Halbert E. Paine,
Counsel for Sitting Member.

(Before the Committee on Elections of the
House of Representatives of the United
States, Washington, D. C., 1874.)

(CONTINUED.)

The power of the State over crimes was thus committed to the Legislature, without a definition of any crime, without a description of any punishment to be adopted or to be rejected, and without any direction to the Legislature concerning punishments. It was, then, a power to produce the end by adequate means; a power to establish a criminal code, with competent sanctions; a power to define crimes and prescribe punishments by laws in the discretion of the Legislature.

But though no crime was defined in the Constitution, and no species of punishment specially forbidden to the Legislature, yet there were numerous regulations of the Constitution which must operate as restrictions upon this general power. A law which should declare it a crime to exercise any fundamental right of the Constitution, as the right of suffrage or the free exercise of religious worship, would infringe an express rule of the system, and would therefore not be within the general power over crimes.

A law enacting that a criminal should, as a punishment for his offense, forfeit the right of trial by jury, would contravene the Constitution, and a deprivation of this right could not be allowed in the form of a punishment.

But while many rights are consecrated as universal and inviolable, the right of eligibility to office was not so secured. It was not one of the express rules of the Constitution, and was not declared as a principle in any part of the instrument. Important as this right was, it stood as the right to life itself stood, subject to the general power of the Legislature over crimes and punishments. As a right flowing from the Constitution, it could not be taken away by any law declaring that classes of men, or even a single person, not convicted of a public offense, should be ineligible to public stations; but as a right not expressly secured by the Constitution, it might be taken from convicted criminals when the Legislature, in their plenary power over crimes, deem such a deprivation a necessary punishment. To say this was to say in substance that the right in question might be forfeited by crimes when the Legislature shall so direct. If this right was taken from none but malefactors, in punishment for offences declared by law, and ascertained in the due course of justice, the sense of the whole Constitution was maintained. And he added, that as the authority of each house of the New York Legislature was exclusive and supreme in all questions concerning the qualification of its own members, if either house should consider such a qualification unconstitutional, or for any reason whatever should disapprove it, the opposition of the house would prevail in respect to the seat and rights of a member declared ineligible by the courts; that the disqualification pronounced by the courts would fail to produce an exclusion from the Legislature, but it would, nevertheless, be effectual to exclude from all other public stations; that its effect in respect to all other public employments would be decided by the courts.

[TO BE CONTINUED.]

THE UTE TREATY.—A private telegram from Mr. Chaffee to the *News* brings the gratifying intelligence that the Ute treaty was ratified by the Senate on Wednesday. This fact will be satisfactory in the highest degree to all residents of the San

Juan district, and to those who contemplate removal to that point. It secures to the energy and enterprise and muscle of our mining population, a district of unusual richness, and which, with proper capital and development, will prove one of our most productive and remunerative districts. Having obtained this prize—to white men valuable, to Indians worthless—by a fair and equitable treaty, we urge upon all men in that region, whether now there or going, a strict and faithful compliance with its terms. We asked for the mines and got them; now let us be just to the Utes. The two men to whom Colorado is most indebted for the consummation of this fortunate treaty are Jerome B. Chaffee and Samuel H. Elbert, who have labored persistently and untiringly to this end. The announcement puts the cap sheaf on the prospects of San Juan for this season; removes all doubts about the securing of titles, and puts at rest the question of peace and war with the Utes, which Indians have acted wisely and generously, and should be treated honestly and fairly in return.—*Denver News.*

THE MORMON PUZZLE.—The Mormon puzzle still remains unsolved. It has been a problem for statesmanship and the opprobrium of the country for thirty years, and the evil seems as far from extinction now as ever before. It has been recognized as something incompatible with Christianity, and antagonistic to the laws of all Christian nations, but it has hitherto foiled every attempt of the Government to "stamp it out." When the Pacific Railroad was pushed through the Territory, some people saw in the easier access by Federal troops, the beginning of the end of polygamy. But the national arms can only support the civil powers of the Territory, and that is Mormon. The people cannot be put under martial law, for they are not in insurrection. Every civil jury will be a Mormon jury, from which it would be idle to expect a conviction. Thus, notwithstanding the many propositions among Congressmen, it does not appear how polygamy is to be extirpated without grave departures from constitutional prescription, and many proceedings in their nature revolutionary and at war with all popular ideas of liberty.—*Brooklyn Argus.*

MONTANA FREIGHT.

THE *Montanian*, in a late issue, had the following, which is of some interest in this Territory—

"We learn that the freight rate from Chicago to Franklin for all freights for Helena and Deer Lodge has been fixed at a cent and a quarter per lb., while for all other points in the Territory it will be three cents. It seems the parties controlling this matter have an idea that no points in the Territory other than Helena and Deer Lodge can advantageously ship via the Muscleshell route, and therefore they must per force ship over the U.P. at such rates as that line pleases to offer. We apprehend they will learn their mistake at an expense to themselves much too large for the value of the whistle.

"Bozeman and Virginia city can be reached via the Muscleshell route with not to exceed fifty miles more travel than can Helena, and about the same as Deer Lodge. No point in the Territory is forced to ship via Corinne and Franklin, and while this unjust discrimination is made no shippers outside the towns named will do so. We know of several in this city who countermanded their orders to ship via the U. P. since this information has been received, and have ordered their freights up the river, and the expression is universal to submit to no such blackmailing operation as this outrageous discrimination is. No, no, gentlemen; you have certainly reckoned without your host, as you shall find to your cost."

The Helena *Herald* of April 17, commenting on the above, says, "The bulk of merchandise for Montana will this year come by the Muscleshell route," and, "If the success that is expected attends the opening of the Muscleshell route this year, it will be adopted by all Montana next season."