

THE EVENING NEWS.

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Tuesday, January 6, 1890.

THE "MORMON QUESTION."

THE Boston Daily Advertiser, of December 20th, contains a long and well written letter from Elder B. F. Cummings, a missionary from this city, now in the East, containing some criticisms on the allusions to the "Mormon" question in the President's message, and in Joseph Cook's prayer to one of his lectures. It shows what would be the effects of such laws as are demanded by a small clique of office holders and their friends, on the social and political condition of Utah, and makes a strong plea for her admission as a State. The Advertiser notices the letter editorially, and makes these criticisms from its columns.

"The President has acted in his constitutional capacity, and there is no fault to be found with his action. It is for Congress to act upon the President's advice or not, as it may see fit. But there is clearly no reason in enacting laws for doing what has been elected and sworn to do."

Mr. Cummings' argument about the polygamy act of 1890 is worthy of notice. The Reynolds case did not affirm the constitutionality of the law, but simply witnessed the application of a common law principle. According to the Revised Statutes, sec. 1888, the common law prevails in Utah, and that law looks upon bigamy and polygamy as a heinous crime. That ends the legal question, as Mr. Cummings candidly concedes. But he advances to a constitutional argument.

He is quite right in ridiculing absurd propositions. But he is wrong in believing that Utah can effectively demand or enforce its admission as a State. The final arbiter of that question is Congress and Congress may act in this matter upon its discretion, as the Constitution absolutely requires. It is a legal and constitutional question, and it is manifestly wrong to appeal to the Bible or to God. God is not a party to the case, and Mr. Cummings will perhaps allow us to say to him, as a private statement, that the laws of God are as hard as iron, as chaste as ice, and as sure as the four corners of the earth.

We think that the editor of the Advertiser is somewhat of a hypocrite. He would like to know when the President of the United States would be he would use the authority of his exalted office, toward the disfranchisement of a religious community, a small portion of whom are accused of violating a law framed especially against a feature of their faith. And to learn what clause in the Constitution requires him to make a special attack on a domestic institution, which at worst is a superstition, or a social system that prevails throughout the land and poisons the very fountains of life. Since when has it become the constitutional duty of the President to recommend unconstitutional measures, for the purpose of preventing his political opponents from gaining the ascendancy supposed to be likely to accrue to them on the admission of a new State?

"Duty" first means duty to God. Then duty to man. For even admitting the arguments and prejudices against "Mormon" marriage to be correct, the evil alleged is utterly insignificant in comparison to the unscripted, wide-spread corruptions that smite with decay and death the foundations of society, and crowd around the national capital, notably disgracing and defacing the District of Columbia, over which Congress has complete control. If it is the duty of the President to urge the extinction of a custom in a distant Territory, which at least has the sanction and is under the restraint of religious convictions and authority, how much more is it his duty to draw attention to evils that are rampant and unchecked right under the eyes of our lawmakers, and whose dimensions are gigantic compared with the dimly-remembered "Mormon" bugbear!

The Advertiser is attempting to criticize Brother Cummings, has fallen into a very common blunder. The decision in the Reynolds case was the admission of the constitutionality of the law of 1890, and this was the essential feature. And, as we have proven heretofore, there is no common law provision against polygamy. Bigamy was made a statutory offence by the Act of James I. and that law was copied in passing the Act of Congress of 1863. Mr. Cummings is right, the Advertiser is wrong.

As to the admission of Utah, all that Mr. C. or any of the "Mormons" asks, is that Congress will "follow precedent, law and the Constitution." He makes no plea that "Utah can demand or enforce its admission." Here are his remarks:

"The only regulation which Congress has a constitutional right to make of a territory applying for admission as a State, having the requisite population, is that her people shall adopt a State constitution, establishing a republican form of government. Congress has no right to ask what may be the political or religious opinions of the people of the would-be State. It has not even the right to consider the social system they shall adopt. It can only require the requisite population and a republican form of government. In utter disregard of this regulation, Congress has thrown out of the Union for many years."

This is sound and incontrovertible. But it contains no such idea as the Advertiser seems to dispute. We have provided in our State Constitution for a republican form of government of the most liberal type, and in keeping up out of the Union, Congress is acting unjustly, unwisely and contrary to long-established precedent.

Now, as to the appeal to God and the Bible, Brother Cummings says: "The Constitution guarantees liberty of conscience to people of every creed, and in the face of this we have several thousand members of a church, including women and children, who are liable to suffer severe legal penalties for professing a religious doctrine sanctioned by the Bible, originally revealed from God, and nearly as old as the human race."

Will the Advertiser dispute the truth of this? And if the laws of God are so inflexible and inevitable as described by that editor, where is the justice, constitutionality or common sense in human enactments which seek to subvert those laws or either of them? Why is it wrong to appeal to the Bible and to God in a dispute over a question of a religious character? We have not endeavored to graft a principle of our religious faith upon the State, but the State has undertaken to interfere with the free exercise thereof. In the dispute it is alleged that this practice has nothing to do with religion, because it is clear that if it is acknowledged to be religious in its nature, the power of Congress to touch it in any way is barred forever. How then shall we prove the religious character of this principle and its practice except by an appeal to God and the Bible, in both of which our chief opponents profess to believe devoutly?

The Advertiser will find on a careful investigation of the subject—which we recommend as a novelty to editors in general, who are mostly in lamentable ignorance concerning it, that the argument is overwhelmingly on our side constitutionally, Biblically, justly and socially. And seeing, as the Advertiser remarks, that "God rules in His own way," would it not be just as well for presidents, legislators, judges and editors to abstain from interfering with Him and His commandments, lest they find that in fighting against "laws that are as hard as iron," they only run upon their own destruction?

HOW WOULD IT WORK? The Washington Star commenting on the propositions of the Mormons, asks the following pertinent questions, and makes some very sensible remarks on the probable application of the desired anti-polygamy enactments upon those who suggest them. It would be a poor law that would not work both ways:

"The proposition to deprive the Mormons of political power is much more easily made than carried out. How will the law-making power establish regulations that will operate against the Mormons alone in this respect? The suggestion is, that no man who indulges in the practice or believes in the doctrine of polygamy shall either vote or hold office, but how are the authorities to arrive at the belief of individuals? If the law shall be as has been proposed that other testimony than that of the man himself shall establish his belief, cannot the 'twisted Mormons' so direct it as to include Gentiles too? Such a law would do a great deal of mischief. Men of little principle would make a machine to vent their spite against others. They would only have to find somebody who would testify in whatever manner might be prescribed—that an individual indulged in polygamy, and he would be deprived of his political rights. It would probably lead to the existence of professional witnesses, who had made power in the great 'Popish plot' in the time of Charles II. of England. Besides, under this government a man cannot be deprived of his rights except by the process of law. Those who have suggested such a summary plan of dealing with the Mormons had better weigh the subject well before attempting to have Congress act upon it."

COMPARATIVE AREAS. The following comparison of the extent of various States and Territories of the Union with the areas occupied by some of the old world countries is compiled from a tabulated statement in the Cincinnati Commercial and will perhaps be of use as well as interest to many of our readers. They are arranged according to rank in dimensions:

1. Texas, 274,856 square miles; 2. Austria Empire, 240,913; 3. Germany, 210,462; 4. France, 204,045; 5. Spain, 177,731; 6. Sweden, 168,045; 7. California, 167,801; 8. Territory of Dakota, 150,825; 9. Territory of Montana, 143,767; 10. Turkey, including Bulgaria, etc., 138,244; 11. Norway, 122,280; 12. New Mexico, 121,201; 13. Great Britain and Ireland, 120,579; 14. Italy, 114,590; 15. Arizona, 110,815; 16. Nevada, 112,490; 17. Colorado, 104,500; 18. Territory of Wyoming, 97,833; 19. Oregon, 95,874; 20. Territory of Idaho, 82,841; 21. Territory of Utah, 84,478; 22. Minnesota, 83,831; 23. Kansas, 80,801; 24. Nebraska, 79,993; 25. Territory of Washington, 70,904; 26. Indian Territory, 69,691; 27. Missouri, 69,600; 28. Florida, 69,320; 29. England and Wales, 68,320; 30. Georgia, 59,451; 31. Michigan, 46,451; 32. Iowa, 55,045; 33. Wisconsin, 58,924; 34. Arkansas, 56,198; 35. Alabama, 50,728; 36. North Carolina, 50,704; 37. Mississippi, 47,150; 38. New York, 47,000; 39. Pennsylvania, 46,000; 40. Tennessee, 45,000; 41. Louisiana, 41,258; 42. Ohio, 39,394; 43. Virginia, 39,345; 44. Kentucky, 39,241; 45. West Virginia, 38,610; 46. Maine, 35,000; 47. South Carolina, 31,000; 48. Indiana, 33,900; 49. Ireland, 31,574; 50. Scotland, 30,885; 51. West Virginia, 28,000; 52. Nebraska, 26,537; 53. Greece, 19,941; 54. Switzerland, 15,233; 55. Denmark, 14,533; 56. Belgium, 11,735; 57. Maryland, 11,343; 58. Vermont, 11,343; 59. New Hampshire, 9,350; 60. New Jersey, 8,234; 61. Massachusetts, 7,800; 62. Connecticut, 4,700; 63. Delaware, 1,124; 64. Montenegro, 1,770; 65. Russia, 1,440.

Sunday School Union Meeting. Last night the monthly meeting of the Sunday School Union was held in the Salt Lake Assembly Hall, Assistant Superintendent Goddard presiding.

The meeting opened by singing one of the Sunday School songs by the city Sunday school choir, prayer by Brother John Alford, all of the city ward were represented. Superintendent Goddard stated that at the last monthly meeting the second ward had been requested to furnish the singing for the meeting, and the superintendent came of his assistants to open the meeting with a brief address; but as it was not expected that we would meet in the Assembly Hall, and therefore one choir being furnished for the occasion, he had wished all the choir to sing at home, and now called on Superintendent Ball to address the meeting, who responded by saying that as superintendents and teachers do not feel that the children are to be the molding of the minds of the children in our charge. How careful we should be to present and example to model in their minds, and the molding of their minds. He thought that there was too much levity in our Sunday Schools, and not that so-

lemnity in our places of worship that there should be, and urged the teachers to use their influence for a reformation.

Superintendent Philipson, in a few brief remarks endorsed the sentiments of Brother Ball. Brother H. G. Park, singing called on said that every father and mother in Israel desired to see their children brought up aright, and our Sunday Schools were great help in that regard. He hoped that teachers would take special pains to teach our children to uncover their head and tread lightly on entering a house of worship, in reverence to our God, whose service the home was built for.

Superintendent Tackett, said the great starting point for the religious education of our children must be at home. Children are taught at home that while asking a blessing they must remain quiet, and this is the starting point of order, which is heaven's first law.

Bro. W. Willis made some interesting remarks on the Word of Wisdom, and urged the teachers to keep it and thus set a good example to their scholars.

Supt. Goddard said the first thing towards an orderly Sunday school had been pointed out by Supt. Tackett, the next thing the superintendents must be backed up by good teachers, for what could a general do without an army unless the soldiers had been well drilled by subordinate officers? So it is in Sunday school. Each class has a teacher whose duty it is to have her or his class in good order, and then it was easy for the superintendents to keep good order. Was glad to hear of a number of the wards holding a conference, and soon after our last monthly meeting, as in this way the general instructions given could be imparted to teachers who were not able to attend the union meeting, and thus the object be attained for which they are held, for the training of teachers, who are the backbone of the Sunday school children.

During the evening Bros. Goddard, Willis and Marks sang two songs. The Ward choir were requested to sing at the next meeting in the 14th Ward Assembly Rooms, and the Third Ward superintendents were requested to assist in the preparation with a short opening address.

Benediction by Brother F. A. Mitchell. J. C. CUTLER, Secy.

BY TELEGRAPH.

FRANCISCO UNION TELEGRAPH LINE. H. A. T. A. S. N. WASHINGTON Gossip.

The Chicago Tribune—California Rivers—Furness, etc.

"WASHINGTON, 6.—In view of the flattery and tolerably well founded rumors that George F. Seward will shortly retire from the position of minister to China, and a law take time by the forelock in regard to a matter of so much importance to the Pacific Coast, Senator Booth and his associates, Davis, Bagge and Pacheco, called upon President Hayes to-day, and jointly recommended that in the event of a vacancy to be filled by the appointment of John P. Swift, of San Francisco. They informed the President that Mr. Swift had not made any request for this recommendation, and that in fact they did not know whether he would accept the position if offered to him, but they voluntarily and unanimously recommended the appointment of a minister to China because they knew him to be able and upright, and because they believed in his common sense and ability to handle the diplomatic business connected with the Chinese question more understandingly than any other man. They further advised the President that while Mr. Swift's appointment would be gratifying to the people of California and her neighboring States, it could not be considered objectionable by any one, but, by reason of his acknowledged high character, would afford a guarantee that the matter of negotiation entrusted to his charge by the national administration would be handled with ability and fidelity. The President listened attentively to these representations and seemed to be impressed by them. He did not say whether or not he expected to accept the early retirement are well founded, but after asking various questions, he promised to give the recommendation of the California delegation careful consideration, and thus the interview terminated.

Representative Page is preparing and will introduce in the House at the first opportunity a resolution authorizing the secretary of War to appoint a commission of army engineers to make a thorough examination of the Colorado river, and report as to the effects of mining operations upon their navigation, and upon the agricultural lands along their borders, and also to report what should be adopted for the admitted injuries of these lands, and what action, if any, should be taken upon the delinquent violation by the Federal Government.

The Washington Post, which has hitherto staunchly befriended Governor Garfield, occupies a position to-day that although he is not under any legal compulsion to follow the last opinion of the Supreme Court, he should nevertheless do so, and argue that case accept it, not only without any approach to his course hitherto but in consistent pursuance of that course. It is said that the Post was based upon previous Supreme Court decisions now reversed. The Post also predicts that if the Governor legally unable to recall his certificate and thus make the necessary corrections, they will be made by the General Assembly with the full consent of the democratic party.

Senator Farley has returned to Washington with his family and taken quarters for the winter at the Arlington Hotel. Daniel Kearney arrived on a late train from New York last night, and will remain here to participate in the Greenback and Labor Conference, which commences next Thursday.

POINTS FROM THE FINE FREE STATE.

The Primary Meetings. AUGUST 6.—It is reported that telegrams are received in large numbers from democrats beyond the State urging submission to the decision of the Supreme Court. Major-General Chamberlain came to the city last evening, being summoned by the governor. Legislative caucuses will be held to-morrow evening. The republicans will probably nominate Jas. A. Locke, of Cumberland, president of the senate, and George E. Weston, of Andover, speaker of the house. The fusionists' prominent candidate for president is James R. Talbot, of Washington, and for vice-president, Thomas Plaford, of Lincoln. The republicans members held a meeting for consultation last evening, which was largely addressed, and the result was confidently expected that the verdict of the Court had made them masters of the situation, and that a sufficient number of

those certificated, but not elected, will refuse to act, to prevent a quorum assembling until the rightful members are admitted to their seats. A committee was appointed for future line of action. The following resolution unanimously passed: Resolved, That the committee on order of business just appointed, are hereby instructed to call upon Gov. Garfield at the earliest practicable moment to issue the armed men and munitions of war now in the State, shall be promptly removed, in order that the free legislation of a free people may meet as they always have met, in the State of Maine, under the protection of law, and not under the intimidation of force.

A petition will be presented to the Governor and Council to-morrow by the Portland representatives elect, setting forth that they had not been summoned to attend the session of the legislature, although legally elected, and praying that such summons issue as the law requires. A similar petition will be presented by the Bath delegation. It is reliably stated that the fusionists claim that 70 is a quorum in the House on the ground that the legislature of 1888 was composed of the fusionists. The republicans have issued circulars declaring that the position is not legal and against the recent decision of the court. They state that the fusionists will endeavor to compel the attendance of members sufficient to make a quorum but that a whole house when fully organized has no power to send for a representative elect until he is sworn in.

Governor Garfield states that the decision of the Court will not change his attitude towards the incoming legislature. The points in the opinion might serve as a guide in the future, but his opinion had been performed under the Constitution and statutes, as he understood them, and he should neither withdraw his certificates or issue new ones. Here and there may be found a dissenting voice to this position of the governor, but in the main there is the approval of the mass of fusionists.

A caucus of fusionists was held last evening, continuing until a late hour, presided over by F. W. Hill, of Exeter (a counted member). Speeches were made on the condition of affairs, proclaiming their adherence to the Constitution and laws as they understood them. They held in respect the opinion of the Court, and should it be found that they were in the majority in the legislature, it should not be derogated that they would ignore the rights of the majority.

The meeting was harmonious, but a determination was expressed to go to court with the Governor in regard to the legality of the legislature according to the certificates issued.

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