

THE WOMEN OF THE BEE-HIVE.

It is now more than forty years since there appeared one day, in a village in Berkshire County, Massachusetts, a weary, dusty traveler. He was unknown. He had no money, neither had he a winning address to recommend himself withal. Everything about his attire, speech, behavior, betokened obscurity and lowliness of condition.

It was a Mormon elder, come to preach in that conservative, comfortable-minded village the strange doctrines of the Latter-Day Saints; to set up in face of four orthodox New England meeting-houses the astounding claim of one Joseph Smith as a divinely inspired prophet and teacher, of authority equal to that of Jesus Christ.

Looking at this incident purely from an outside standpoint, regarding the bare facts as above stated, there is nothing to be wondered at in the next stage of events in that village, of which the mildest statement that could be truthfully made would be that the village was ablaze with indignation. That the outraged Baptists, Methodists, and Congregationalists did not fall on the man and stone him out of town was not because they did not hold him deserving of such treatment, but because to administer it would have been shocking to their nerves, to their habit of quiet, and to all the respectable traditions of the place.

The elder had great difficulty in finding a room where he might speak in public. At last he received permission to hold forth in an upper chamber in a house of by no means the best repute. To this service the people were invited by means of written notices, posted in conspicuous places, and torn down by angry hands almost as soon as put up.

The village had all the religion it wanted, and its religion was of the right kind, too. No room for new-fangled doctrines there—above all, for the accursed blasphemies of the Mormons.

One of the richest and most influential citizens in the town at this time was a man whom (because this story is a true one, and therefore cannot give real names) I will call Wilson. He was not a religious man in any sense of the word. His life had always been a moral one, and he was associated with the Baptist denomination; but he made no professions of any belief in Christian doctrines, or any concern as to what was called in those days "the welfare of the soul."

He must have been a wag in his way, for,

seeing the notice of the Mormon elder's preaching, he resolved to invite the Baptist minister to go with him to hear what the man had to say. He sent his little son, a lad of twelve, over to the minister's house, to carry the invitation. The boy, unsuspecting, was shown into the minister's study, and delivered his message.

"Father says he's going down to hear the Mormon elder speak to-night, and he wants to know if you wont come along with us."

The minister was sitting at his writing-table, with a big book open before him; his spectacles were well down on his nose: looking over them at the child, he thundered out in an angry tone:

"What!"

The little fellow, trembling (for in New England a half century ago ministers were bigger men than they are to-day), repeated the message. That boy is now a man, not far from sixty years old, but he remembers as distinctly as if it were yesterday the look and the voice with which the resentful clergyman, bringing down his fist with a sledge-hammer blow on his book, cried:

"Tell your father I'd as soon go to hear the devil speak!"

The boy took to his heels and never stopped till he was in the presence of his father, who roared with laughter on hearing the reply, and was probably no whit surprised at the result of his joke.

"Well, you and I will go, Phil," he said. "I guess 'twont hurt us." But the boy went with fear and misgiving, thinking that the minister would not have used such terrible language without reason.

At the end of his discourse the elder, looking appealingly toward the handful of persons that had listened to him, said:

"My brethren, I am traveling to preach the gospel, as the apostles of old did, without scrip and without purse. I have no money. Will any one of you give me shelter for the night?"

Not a man spoke or stirred. After a moment Squire Wilson stepped out into the aisle and said, with a look of scorn at his inhospitable fellow townsmen:

"My house is at your service, sir. To such accommodations as I can offer you are welcome."

It was the largest and best house in the town; and it was no niggardly hospitality that the Squire extended; for in the morning

he took the poorly clad preacher down to a store, fitted him out with an entire new suit of clothes, and sent him on his way, warmed as well as fed. All the elder's efforts to converse on religious topics, however, or on the doctrines of the Mormon Church, he repelled good-naturedly, saying:

"No, no, friend. I can't stand any of that. I'm a man of the world. I don't believe in any of your religions. They're all pretty much alike. One's as good as another. I've got no use for any of them."

To his friends' remonstrances with him for having entertained a Mormon, the Squire replied:

"Good heavens! would you have had the man lie in the street? I was ashamed. And I don't see any harm in his doctrines: they seem to me about as good as the general run. The man's a good man himself. I'll answer for that, if I know one when I see him, and I think I do."

In a few months the elder came back, and preached again—this time to a larger and more interested audience. Again he passed the night at Squire Wilson's house, and again tried in vain to induce the Squire to listen to personal conversation on religious matters.

A third time he returned. This time, on taking leave of his generous host, he placed in his hands a Mormon tract, called "A Warning Voice," and asked him to promise to read it. "Oh, yes, I'll read it," laughed the Squire: "I'll read anything."

Little he knew what destinies lay in his lightly given promise. Something in the words of that tract smote him like a javelin-thrust. There is nothing in all the secret organic processes of nature subtler, or surer, than the secret, subtle, sure springing to life of a spiritual seed falling in a soil to which it has affinity. No one can predict, no one can explain the occurrence. The highest and most complex formulas in the mathematics of chemistry are children's A B C's beside the dimly understood and never-to-be-formulated laws, forever working in our human souls, evolving out of certain kinds of faith certain sorts of doubt; out of wide unbelief, narrow superstition; making us, spite of ourselves, adhere to-day, depart to-morrow, cling, reject, love, hate, all in destined successions, of which the more we think we know, the more we prove that we are ignorant.

If there was a man in all Massachusetts of whom it would have been safe to say that he could never become a Mormon, it was Squire Wilson.

Yet, in a few days after the reading of that tract, he was closeted alone, with his Bible spread open before him, comparing its teach-

ings with the Mormon doctrines, and coming slowly, reluctantly, almost with anguish of resistance, to compliance with the faith of the Latter-Day Saints.

The struggle lasted three days. During this time no one but his son was allowed to enter the room. Phil was an only child, and, his mother having been dead for years, he had become his father's companion in an intimacy very rare between father and son.

Near the close of the third day, Squire Wilson looked up and said, with tears rolling down his cheeks:

"My God! Phil, it's all true! It's all true! I must follow it. But it will cost me every friend I have, and every dollar I've got in the world."

The memory of this moment is vivid in Phil's mind to-day. He had never before seen his father weep. He felt the tears drop hot and fast on his own hands, as his father in his excitement grasped them tightly in both of his, and wrung them hard. No wonder that the boy became, then and there, the passionate believer in all that his father believed, the enthusiastic helper in all that his father now wished to do.

The next scene stamped on the lad's memory was one between his father, his grandfather, and his favorite uncle. The uncle was a Baptist preacher, settled in a neighboring town; the grandfather, now very aged, had also been a Baptist preacher, and lived with this son. Hearing the dreadful rumor of Squire Wilson's conversion to Mormonism, they came over to reason with him. Phil was present at the interview. It lasted many hours. The heart-broken old man tried entreaty, argument, invective, all to no purpose. The convert was immovable. It seemed to Phil, listening with his boyish heart all aflame in the new excitement, that his father's positions were unassailable, that his reasoning ought to convince the world. At last, when the unhappy trio separated, Phil heard his grandfather say, hotly:

"I hope my eyes may never rest on your face again. You are my son no longer!"

And his uncle said similar words, even more emphatic:

"I'll never own you for a brother! Never dare to cross the threshold of my house!"

And they strode away with angry and anguished faces.

An uplifting sense of martyrdom swelled in Phil's breast. He felt himself bound to the new religion with a bond tenfold stronger than before. Holding tight to his father's hand, he stood in the doorway of the home so soon to be abandoned forever, and watched his uncle and grandfather in silence till they were out of sight. Then turning, he said:

"You have me still, father."

"Yes, my son," his father replied, "and we shall have them with us, too, before long." The prediction was fulfilled to the letter. Only a few years later the three who had parted thus bitterly were reunited in the city of Nauvoo, all equally convinced of, and equally enthusiastic in upholding, the Mormon faith. And one of the clearest and ablest books the Mormons have, perhaps the very best presentation of their peculiar doctrines that has ever been made, was written by this very Baptist clergyman who had thus forbidden his brother ever to cross the threshold of his home so long as he held to the Mormon belief.

This brief family history is but one out of thousands. It is by such processes as this that Mormonism has come to exist; it is upon foundations such as these that it rests, strong and confident, to-day.

With its surface history, its incredible beginnings in the brain of an illiterate plow-boy, its astounding spread and quick centralization as a power, its hostile reception in every place where it tried to get permanent foothold, driven out of State after State, its leaders murdered by mobs—with all these surface facts of its history, the world is familiar—so familiar, in fact, that from that very familiarity have come about, as happens in so many other things, an ignorance and indifference in regard to the significance, importance, and true nature of the movement. This indifference is partly born of the self-conceit of the age. Our nineteenth century is wonderfully set up in its own esteem, wonderfully elate at its progress, its inventions, its general understanding of all things, spiritual as well as material. Most persons would laugh or be superciliously scornful at the suggestion that anything like the crusades, for instance, could be successfully set going now, especially among English-speaking people. Indeed, a crusade to recover the holy sepulcher into the keeping of Christians would seem far less foolish, would require far less abnegation of individual rights of opinion, one would think, and far less inferiority to the present standards of intelligence and information, than to believe in Joseph Smith and become a Latter-Day Saint. But here within the last fifty years, in the very din of the march of our progress, thousands and thousands of men and women, of fair intelligence and moderate education, middle-class men and women from every English-speaking country, Old England and New England alike, Liverpool and Boston, Birmingham and Lowell, have fallen out of the ranks, turned their backs on homes, friends, fortunes, every-

thing they had hitherto believed in or prized, to seek salvation in the Latter-Day Zion. It is a stupendous fanaticism, anachronistic almost, when one considers its setting and surrounding in point of time.

Reading to-day Joseph Smith's narrative of how there appeared at his bedside an angel in a white robe, with a countenance "truly like lightning," who told him to go to Manchester, Ontario county, New York, and find there, under a stone that could be easily pried up with a lever, gold plates, fourteen hundred years buried, on which was engraved, in Egyptian, Assyriac, Chaldaic, and Arabic characters, the whole of the Book of Mormon; how there were also in this sepulcher an oval-shaped stone called the Seer stone, and an instrument like a pair of spectacles, but larger, two clear stones set in a rim, called the Urim and Thummin, by the application of which to the Egyptian, Chaldaic, Assyriac, and Arabic characters, they were at once turned into plain English, and thus read, and word for word written down; how after this was done, the angel carried the gold plates away again;—one is simply stupefied with wonder that the tale ever obtained credence. The appended certificates of eleven men, to the effect that during the possession of these plates by Joseph Smith they saw and handled them, only add to the amazement, and cast discredit on the story. In fact, the more one reads the Book of Mormon, and the attempts to prove its divine origin and supernatural transmission, the more inexplicable seem the results which have followed its promulgation. The more puzzling, also, becomes the question of its origin. Much has been written to prove that the greater part of it was the work of a Reverend Mr. Spaulding, a man curious in Indian lore, who in the early part of this century wrote quaint stories; and, among others, one in which he set forth a supposititious history of the wanderings of the Lost Tribes, and their final appearance on the North American continent. The manuscript of this book was said to have fallen into the hands of one of Joseph Smith's comrades, and to have been the basis of the Book of Mormon. But the chain of evidence to show this is not complete; and after all, it matters very little, to any present view of the Latter-Day Saints as a people, or of their history as a great religious movement, what the Book of Mormon really was, or where it came from. What the Mormons were brought to accept it for is the main fact of importance; and of this over one hundred thousand people in Utah Territory to-day are witness.

The book was first published in 1830. On

the 6th of April in that year the church was organized. It consisted of six members. Before the end of the year branches of the church had been organized in Pennsylvania, Ohio, and several places in New York, and the following had grown from six to over one thousand.

During the next three years hundreds of ministers, ordained by the boy Joseph Smith, were sent out in all directions through the country, and branches of the church were organized in most of the States of the Union.

In 1836 a temple was built and dedicated in Kirtland, Ohio, and the ecclesiastical organization of the order was completed. Twelve apostles, and quorums of high priests, elders, councilors, bishops, and ministers, all in graded successions, with specifically defined responsibilities and obligations, knit the people together, and made them, as it were, a unit in spirit, purpose, action.

This was a remarkable scheme to have been devised, and successfully carried out, by a man only thirty years old, without education, without money, and without influence except such as emanated from his own personality.

In 1838 persecutions began, and nearly ten thousand Mormons were driven out by violence from the State of Missouri.

Nevertheless, in the two following years, more converts joined the movement than had joined up to the time of the beginning of the Missouri persecution. In 1840 the quorum of the Twelve Apostles visited England, gathered great numbers into the church, and published there the Book of Mormon and several other works, among which was a periodical called the "Millennial Star," which in ten years had reached a circulation of eighteen thousand copies weekly.

The next centralization made by the prophet, as he called himself,—claiming to have been, by the actual laying on of hands of visible angels, ordained to the "High Priesthood after the order of Melchisedec, to hold the keys of the Kingdom of God, the dispensation of the fullness of times,"—was in Illinois. The history of the city of Nauvoo, of the building there of the great temple, one hundred and twenty-eight feet long by eighty-eight feet wide; the organization of the famous Nauvoo Legion of armed men; the conflicts between the Nauvoo authorities and the authorities of the Illinois State Government; the riots; the murder of Joseph Smith and his brother by a mob; and the final expulsion of the entire Mormon population from Illinois, are matters within the memory of many living. It is a shameful record, for which Illinois should blush to her latest day.

Even the worst and wickedest of men, the lowest criminals that earth ever saw, should be safe from such outrages as were perpetrated in Nauvoo.

The effect of all this persecution on the Mormon people was simply to make them tenfold more Mormon than before; to add to their already fanatical enthusiasm the unquenchable fire of the martyr-spirit. Religious persecutors never realize how much more their methods build up than overthrow. Delusions, which let alone would die out, thrive and spread the instant men attack them with bigoted fury. No rallying cry for masses has ever been found, comparable to the watchwords of martyrdom. A man will think twice about inconveniencing himself, and hesitate to make himself poor, for his religion; but show him that he may have to lay down his life for it, that another man stands ready to slay him for adhering to it, and he is instantly aflame with readiness to do battle, not so much for the religion as for his right to believe in it if he chooses.

It was on the 6th of April, 1841, that the corner-stone of the great temple was laid in Nauvoo. In less than eight years Nauvoo was deserted, and its entire Mormon population, some twenty thousand people, driven out at the point of the bayonet, their leader murdered, their property confiscated. The history of the Mormon emigration from Illinois to Utah, between 1846 and 1849, is one of almost incredible hardships and sufferings. The road was literally marked by graves. There are many women alive in Utah to-day who can tell the story of that emigration: women who, weak from hunger, walked the greater part of the way, carrying their infants in their arms, or drawing aged parents in small hand-carts.

The narrative has never been fully written out. There is not in all the world's history anything fully its parallel. It will be a surprise to most persons to learn that up to this time polygamy was not one of the avowed Mormon doctrines; in fact, rumors charging the sect with polygamous practices had been met by unqualified denials and formal assertions that the church inculcated no such doctrine. On what, then, was all this persecution based? It is not, at first, easy to discover. Neither the statements of the Mormons nor those of their enemies fully explain it.

Theologically, the Mormon doctrines seem to be almost identical with those of the orthodox Christian churches. To these are added a belief in baptism for the dead, and in the efficacy of the laying on of the elders' hands and of anointing with oil—both founded on a literal interpretation of the Christian Scrip-

tures, which they heartily embrace, and avow as a rule of faith and conduct; holding in equal reverence with them, however, what they believe to be God's latest revelations, through Joseph Smith and his successors in the priesthood.

The Baptist clergyman, alluded to in the opening of this paper as a brother of Squire Wilson, wrote after his conversion to Mormonism a series of letters in which is to be found a clear statement of the Mormon theology. These letters were originally written to a brother minister in the Baptist church, who had been greatly distressed by his friend's change of belief.

He says :

"You ask me to give an account of the faith which I have embraced.

"I believe that Jesus Christ is God, co-eternal with God the Father, and that such as have the knowledge of the Gospel and believe upon him will be saved; and such as believe not will be damned. I believe the Old and New Testaments to be the Word of God. I believe that every person should be born, not only of the Spirit, but also of the water, in order to enter into the kingdom of God. There are three that bear witness on earth, as there are three that bear record in heaven: the Spirit, the water, and the blood bear concurrent testimony to one obedience on earth; for the want of any one or all of these witnesses on earth, in our favor, there will be no registry of our perfect acceptance in heaven. Hence the baptism for the dead. . . . I believe in the resurrection of the dead, the righteous to life eternal, and the wicked to shame and everlasting contempt. I believe that repentance toward God and faith in our Lord Jesus Christ are elementary and cardinal truths of the Gospel. . . . I believe that every church in gospel order has a priesthood consisting of prophets, apostles, elders, etc., and that the knowledge and power of a priesthood, ordained of God as the ancient priesthood was, is indispensably necessary to the prosperity of the church. I do not believe that the canon of sacred Scripture was closed with the revelation of John; but believe that wherever God has a true church, there He makes frequent revelations of his will. . . . I define priesthood to be that order of authoritative intelligences by which God regulates, controls, enlightens, blesses or curses, saves or condemns all beings. To it, under God, all things are subservient in righteousness, whether in heaven, earth, or hell. God the Father of our Lord Jesus Christ is at the head of all genuine priesthood. But as it is His will that all men should honor the Son, even as they honor the Father, Jesus now stands accredited as the Apostle and High Priest of our profession. Subordinate priests in the same apostolic order of the Son of God are such as He has put in His church. . . . The priesthood exhibits a regular gradation of knowledge and authority, from Jesus, the great High Priest in Heaven, to the lowest description of ordination in the church below."

These were at the outset the salient points of the Creed of the Latter-Day Saints. It would not seem that there could be in them any just ground of offense to those who accept the Christian Bible as literally inspired.

Their belief in the existence of revelation from God in the present age, and in the direct

inspiration of their leaders, has been called blasphemous by some of their opponents. But it would be difficult to say anything on this head which would not have been equally applicable, in the time of Christ and of the prophets, to all who, in that day and generation, believed on them. There is, therefore, no logic in the accusation; but it is one likely to appear well founded to those who feel that there is direct insult to Christ's teachings and dispensation in the idea of God's having supplemented them by any others, even indorsing and amplifying them.

But there was under the hue and cry of blasphemy, and apparent zeal to protect the things of God, a concealed and much more powerful anxiety to protect the things of Cæsar. Mormon populations were unmanageable factors in political affairs. The Mormon vote was sure to be a unit. The centralized, systematized power of Mormon organizations was of necessity a dangerous element in a state.

"Whatever orders of civil government, or order of domestic compact, or order of business transaction, or order of religious worship, or rule of commercial transaction, may contravene the established order of priesthood, the same must bow to the requisition of the inspired priesthood of God, and God acknowledges no other power with approbation," says the converted Baptist clergyman already quoted from; and there are other definitions and laws to be found in Mormon books no less subversive of civil authority than this.

Given such a principle as this, with banded communities of religious fanatics ready to act on it, wherever it might lead, whatever it might involve, and it would be only necessary to add to the formula the presence of leaders wicked in design and unscrupulous in method, to have as complete a magazine of deadly mischief as the most revolutionary could desire.

Just here was, no doubt, the real animus of the persecution of the Mormons. While seeming to strike at the Mormon's liberty of conscience, the thing it really struck at, feared, and hated, was his lack of liberty of action. It was a new shape of an old hatred—the hatred of alliance between Church and State. The Mormon's specious device of calling it all "church" did not avail him.

Lumping all a man's acts, all the transactions of daily life, all the interchanges and obligations of commercial and financial intercourse, all customs of society and relations of human beings under the head of religion, and then leaving to the authoritative decision of the priests of that religion the perpetual and minute regulation of each and every such act,

transaction, interchange, obligation, custom, and relation, was an ingenious scheme, with not a loop-hole left in it. If it worked at all, it covered the ground. This has been the great secret of the success of the Mormon movement.

On page 429 of a Mormon book called "Doctrine and Covenants" is to be found the record of a "Revelation," purporting to have been given to Joseph Smith at Nauvoo, January 19th, 1841. It is the revelation commanding the building of the Nauvoo temple. In it are many passages such as these:

"Behold, verily I say unto you, let my servant George Miller, and my servant Lyman Wight, and my servant John Snider, and my servant Peter Haws, organize themselves and appoint one of them to be a president over their quorum for the purpose of building that house."

"And they shall form a constitution whereby they may receive stock for the building of that house."

"And they shall not receive less than fifty dollars for a share of stock in that house, and they shall be permitted to receive fifteen thousand dollars from any one man for stock in that house."

"And if any pay stock into their hands, it shall be for stock in that house, for himself and for his generation after him, from generation to generation, so long as he and his heirs shall hold that stock, and do not sell or convey the stock away out of their hands, by their own free will and act, if you do my will, saith the Lord."

"Therefore I say unto you concerning my servant Vinson Knight, if he will do my will, let him put stock into that house for himself, and for his generation after him, from generation to generation."

"If my servant Sidney will do my will, let him not remove his family into the eastern lands, but let him change their habitation even as I have said."

"Behold, it is not my will that he shall seek to find safety and refuge out of the city which I have appointed unto you, even the city of Nauvoo. Verily I say unto you, even now, if he will hearken unto my voice, it shall be well with him. Even so. Amen."

"And again, verily I say unto you, if my servant Robert D. Foster will obey my voice, let him build a house for my servant Joseph, according to the contract he has made with him. . . ."

"And let him repent of all his folly, and clothe himself with charity, and cease to do evil, and lay aside all his hard speeches."

"And pay stock also into the hands of the quorum of the Nauvoo House for himself and for his generation after him."

After several paragraphs, ordaining one "servant William" as a preacher, counselor, etc., come these extraordinary statements:

"That whoever he blesses shall be blessed, and whoever he curses shall be cursed; that whatsoever he shall bind on earth shall be bound in heaven, and whatsoever he shall loose on earth shall be loosed in heaven."

"And these signs shall follow him: he shall heal the sick, he shall cast out devils, and shall be delivered from those who would administer unto him deadly poison."

"And he shall be led in paths where the poisonous serpent cannot lay hold upon his heel, and he shall

mount up in the imagination of his thoughts as upon eagles' wings:

"And what if I will that he should raise the dead, let him not withhold his voice."

"Therefore let my servant William cry aloud and spare not, with joy and rejoicing, and with hosannas to him that sitteth upon the throne forever and ever, saith the Lord your God."

Another of Joseph Smith's revelations, contained in the same book, is of interest as indicating the financial methods by which the Church of the Latter-Day Saints has attained its present wealth. This revelation is said to have been given in answer to the question, "O Lord, show unto thy servants how much thou requirest of the properties of the people for a tithing."

"Verily, thus saith the Lord, I require all their surplus property to be put into the hands of the Bishop of Zion, for the building of my house and for the laying of the foundation of Zion, and for the priesthood, and for the debts of presidency of my church."

"And this shall be the beginning of the tithing of my people."

"And after that, those who have thus been tithed shall pay one-tenth of all their interest annually, and this shall be a standing law unto them forever, for my holy priesthood, saith the Lord."

"Verily I say unto you, it shall come to pass that all those who gather unto the land of Zion shall be tithed of their surplus properties, and shall observe this law, or they shall not be found worthy to abide among you."

This revelation was received July 8th, 1838, at Far West, Missouri.

The more closely one examines these avowed methods by which the Mormon leaders, having first created an absolutism of ecclesiastical power, proceeded to secularize it, the more difficult it is to believe in the sincerity of their apparent religious fanaticism. But whatever be believed or disbelieved in regard to the leaders, there can be no manner of doubt that the masses of the people, the rank and file, were and are passionate fanatics.

Will anything else, anything less, explain the momentum of the movement? The psychological phenomenon of thousands of men believing in, and submitting to the rule of, such revelations as those above quoted? Of such a system being able to exist in this "latter day," side by side with the steam-engine, the telegraph, and the electric light? It is well-nigh incredible, even in face of all the facts. But the facts are patent, and cannot be evaded. There is in the Territory of Utah to-day a people, over a hundred thousand in number, held together by this bond: the strongest bond that the strongest passions of human nature can knit. In each individual man, moreover, if he be sincere in the faith, the highest virtues he possesses all ally themselves to this bond. The more honest, industrious, simple-minded, and upright a man is,

the better Mormon will he be, if he be Mormon at all. How these old-fashioned virtues thrive on a diet of fanatical religion, the prosperous farms of Utah give proof. The Mormon gospel is a gospel of labor. Industry and simplicity of living are its strongest precepts. The Bee-hive is its formally adopted emblem; and in its earlier days almost equally recognized badges were the calico gown and sun-bonnet of the women.

It is upon the women that the brunt of the Mormon movement has fallen; the brunt of the obloquy; the brunt of the suffering. The privations and woes they endured in the old conflicts and emigrations were bitter enough; but they must be as the light dust in the balance in comparison with what they have endured since. A true understanding of the conscientious, religious Mormon woman's position and belief would work a revolution in the general sentiment of the outside world toward her.

The doctrine of polygamy, or, as the Mormons prefer to call it, plural marriage, or the patriarchal order of marriage, was not openly avowed until 1852. The revelation establishing it is said to have been given to Joseph Smith July 12th, 1843.* It is called "The revelation on the eternity of the marriage covenant, including plurality of wives," and is an extraordinary document. The doctrine met with great opposition from both men and women. Many left the church in consequence of it; and to this day there are occasional defections based solely on disbelief in the doctrine, or dislike of its practical workings.

The doctrine, to be completely studied, must be considered both from the man's point of view and the woman's, the two being, for many reasons, not identical. But it is the woman's view of it, her belief and position in regard to it, which are most misrepresented and misunderstood by the world. If the truth were known, there would be few persons in whose minds would be any sentiment except profound pity for the Mormon woman—pity, moreover, intensified by admiration. There has never been a class or sect of women since the world began who have endured for religion's sake a tithe of what has been, and is, and forever must be, endured by the women of the Mormon Church. It has become customary to hold them as disreputable women, light and loose, unfit to associate with the virtuous, undeserving of any esteem. Never was a greater injustice committed.

This has been partly due, however, to a mistake many enthusiastic Mormon women have themselves committed, in trying to uphold the plural marriage system—perhaps even to fortify their own powers of endurance of it—by declaring that they were happy in it; by not admitting that it entailed suffering—a pathetic and bootless deceit! The most intelligent among them now make no such pretense.

Said one of them to me: "I implored my own daughters, and I do the same to all young women over whom I have influence, 'Do not marry into polygamy, never think for one moment of marrying into polygamy, unless you are sure that religion is more to you than all else in this world. Nothing else can enable a woman to endure the torture of it, or to live up to the precepts of the church.

"One of my daughters, especially, I wept and prayed over, to keep her out of it. I feared that it was beyond the power of grace to so modify her natural temperament as to make the life endurable to her.

"Of course, it is nothing but selfishness in us which makes this torture. And if we were wholly Christians and good Mormons, we should rise above that selfishness, and never have any jealousy or pain; but it is born in all of us, and there is no getting free from it.

"We know that we are committing sin every time we have an unkind feeling toward anybody,—how much more toward our husbands' other wives, who ought to be just like sisters to us! We are no good Mormons if we do not live on kind and friendly terms with them; but anybody that says it isn't a terrible suffering doesn't know Mormon women—nor human nature either, I should think. There are very few who are fit to live in polygamy!"

This is a woman born in New England, led into the Mormon Church by the conversion of her own mother; married at seventeen to a Mormon bishop—one of six wives then; after the death of this bishop, married again to another prominent church official—this time, also, one of six wives; she is a competent witness on all points relative to the position and belief of the Mormon woman.

She is now the editor of a newspaper published in Salt Lake, called the "Woman's Exponent," advocating woman's suffrage, as well as the doctrines of the Mormon Church. She is a woman of education and refinement; a finely organized person, with the emotional

* This date is two years previous to a formal denial of the doctrine given by the Church in 1845, in these words: "Inasmuch as this Church of Christ has been reproached with the crimes of fornication and polygamy, we declare that we believe that one man should have but one wife, and one woman but one husband; except in case of death, when either is at liberty to marry again."

and religious traits largely developed. For forty years she has been an earnest and devout Mormon woman—wife and mother. There are thousands like her in earnestness and devotion to the faith, though few, perhaps, who are her equals intellectually.

The two doctrines which most help the Mormon woman to endure the suffering of living in "plural marriage" are the doctrines of preëxistence and of the eternal continuance of the patriarchal order. The mere revelation from Joseph Smith, to the effect that polygamy was to be permitted and was praiseworthy and desirable, would never, alone, have brought the Mormon women to hearty acceptance of the institution.

They are taught, and most unquestioningly believe, that the universe is full of spirits waiting, and waiting impatiently, to be born on this earth. These spirits have already passed through one stage of discipline and probation, and are to enter upon a second one here. The Rev. Edward Beecher once published a book setting forth a similar doctrine. The Mormon doctrine goes farther than Dr. Beecher's, inasmuch as it teaches that these spirits may select of their own free will where and how they will be born into their earthly probation; and that they are, one and all, anxious to be born in the Mormon Church, as the one true Zion, where alone are to be found safety and salvation. They also believe that the time is limited during which these spirits can avail themselves of this privilege of being born into Zion. They look for the return of Jesus Christ to the earth before long, and for the establishment then of the millennial dispensation, after which no more of the spirits can be reborn and reclaimed. Hence the obligation resting upon every faithful Mormon woman to bring into the world, in the course of her life, as many children as possible. Not only does she thus contribute to the building up and strengthening of the true church, but she rescues souls already existing and in danger of eternal death. It is easy to sneer at this doctrine as inconceivable rubbish; and, in truth, it must be admitted that it is hard to conceive of an educated mind receiving it; but it is no more absurd or unprovable than hundreds of kindred speculations and notions which have been devised, preached, and passionately believed in times past. Neither has the absurdity or non-absurdity, falsity or truth of the belief, anything to do with our judgment of its believers.

The Mormon women hold this belief as the most sacred and inspiring of their consolations; and, however sure we may feel that it is silly, we cannot call it selfish or ignoble.

On the contrary, it is unselfish and lofty in its aim.

The second doctrine, of the permanence of the patriarchal order, must also be inspiring and elevating. To those accepting the patriarchal order upon earth, it could not fail to be a comfort to know that the emoluments, dignities, and benefits of that order were to be eternal. And so they are taught that the wider a man's family circuit, so to speak, is here, the greater will be his power and influence for good in the millennial and heavenly dispensations. In this scheme, as in that of secularizing ecclesiastical power, interweaving finance and revelation, the Mormon leaders have shown great ingenuity. Given the enthusiastic believer, the scheme has not a loop-hole; it covers the ground.

Brilliant and vivid in the devout Mormon woman's mind is the picture of the future Zion, the redeemed of all nations gathered into it, the earth purified and made fit for holy habitation, and the families of the Latter-Day Saints, each in its own fullness and entirety, centering around its patriarchal head, the man continuing through all eternity in perfect blessedness, power, and influence. Add to these two briefly outlined beliefs the implicit faith in Joseph Smith's revelation ordaining polygamy, and we have the triple secret of the Mormon woman's acceptance and endurance of a system which does violence to her every natural instinct, and turns her life into a daily martyrdom too terrible to describe, or even to dwell upon in fancy. The more one reflects on it, the more astonishing it appears that the institution can have survived so long; the more incredible is it that there are women ready to-day to endure, for its sake and for love of the men who have led them into it, all that the ancient martyrs endured for their religions.

The passage of the Edmunds Anti-Polygamy Bill, disfranchising all persons living in polygamy, and making the practice of it a penitentiary offense, has, so far as can be at present judged, only kindled new flames of self-sacrifice in the hearts of Mormon women.

There was in the penitentiary in Salt Lake City last spring a young woman with her infant. She was put there for refusing to tell the name of the father of her child. She was kept there three months, still refusing. She declared that if the United States authorities kept her there till she died, she would never tell. No doubt she would have kept her word. The authorities set her free, and she has returned to her home in southern Utah, with the babe, to which will never be given a father's name so long as the Edmunds bill stands in force.

This sort of spirit in Mormon women was not reckoned on, probably, by those who thought that polygamy could be greatly affected by legislation. To a woman honestly and fanatically believing that her marital relation with a man had been ordained of God — was not only in the direct line of her service to God, but the most acceptable offering she could make to Him — a little more or less obloquy in the outside world would be a small matter. It is entirely within the power of the Mormon women to turn any anti-polygamy bill into a farce, if they choose, by precisely the course of conduct pursued by the young woman above described. There would not be penitentiaries enough to hold them, nor funds to feed them at the United States' expense; and it is not easy to see what further device the baffled authorities would employ.

The passage of the Edmunds bill, in spite of the grave question as to its constitutionality, may have been a wise step,* as an expression of the general sentiment of the country in regard to polygamy, an expression which the leaders of the Mormon people, the determiners of the future policy of the Church, will be foolish to ignore.

They may evade the operation of this particular bill; they may even get it rescinded. There are a thousand ways and means to such ends. Legislative enactments are creatures of circumstance and opportunity, and in political weather, to-day gives small inkling of to-morrow.

* Judge Jeremiah Black pronounced the bill "a direct and flat violation of the constitution." His long argument before the Committee on the Judiciary, setting forth the points in which the bill conflicted with fundamental constitutional law, is the strongest weapon ever put into the hands of the Mormon leaders.

But true signs of the times no wise leaders will disregard. The Mormon people, as a people, are too upright, industrious, and moral, have worked too long and well, and achieved too splendid a success, to have their future again imperiled by being brought into active hostility with the majority of their fellow-countrymen. It will be a cruel thing if the church authorities permit it. That it is in the power of the church authorities to prevent it goes without saying. The same power that instituted the odious and abhorrent polygamy can do away with it as no longer suited to the age, or advancing the best interests of the church. If Joseph Smith has now any direct means of communicating with his followers, and has their best interests at heart, he will speedily advise them to that effect by a strenuous revelation.

There are still to be seen, here and there in the outskirts of Salt Lake City, the remains of an *adobe* wall, by which the original founders of the city intended to inclose it and keep it forever separated and safe from the rest of the world. The wall was never finished. The bits of it still standing have sunk and crumbled away, under rains and winds, till they bear no semblance whatever to a wall; are merely weed-grown, shapeless mounds of earth, soon to disappear forever. These seemed to me profoundly significant of the sure and certain crumbling away of the spiritual walls by which those same leaders expected forever to surround the consciences and the lives of the Mormon people.

H. H.

ONE WAY OF LOVE.

I CANNOT measure for thee, drop by drop,
 Thy draught of love, my hands, dear, tremble so;
 Behold the chalice, how the bright drops glow!
 And still I pour, although thou bid'st me stop,
 Till the rich wine mounts to the goblet's top,
 And the dry earth receives the overflow.
 Too generous am I? Ah, say not so!
 Love that doth count its gifts is a weak prop
 Whereon to stay a weary human heart.
 Yes, draw me closer, love. Perchance I may,
 Clapsed in thine arms, forget the dreaded day
 When thou, my love, my soul, my life's best part,
 In cold satiety wilt turn thee round,
 And dash the poor cup broken to the ground.

Eliza Calvert Hall.

been the passage of the Blair Pension Bill, calling for an annual expenditure ranging anywhere from fifty million to two hundred million dollars. This pension scheme was not only a demagogic device, but it called for such enormous drafts upon the Treasury that its becoming a law would have been a step toward national bankruptcy. The House killed this after the Senate had passed it.

With what our correspondent says about time wasted in debate we are also inclined to disagree. Much time is undoubtedly wasted in useless talk, but it is a mistake to say that nothing can be gained by debating a measure which has little or no chance of becoming a law. Especially is it a mistake if the measure be a tariff bill. We shall never secure the much-needed revision of our present tariff laws until the subject has become more thoroughly understood than it is at present, and there is no better way of diffusing knowledge upon it than by debate. What we need in Congress is not less talk, but better talk.

And this brings us to the root of the whole difficulty. We shall not have abler debating and more efficient legislation until we get a better class of men for Congressmen. Nobody who has followed the course of all our legislative bodies for the past few years can fail to conclude that there has been a steady descent in the scale of ability and character of the men who are elected to make our laws. It used to be considered a high honor to be sent even to a State legislature. Does anybody consider it so now? Few men who are fit for the service make any effort to get into it, while the most unfit men work hardest, and usually succeed in getting the position. The remedy is with the people, and in our opinion clearly lies in the line of a thorough and universal application of the merit system to all the minor offices of the nation, the state, and the municipality.

Marriage, Divorce, and the Mormon Problem.

MANY Americans believed in 1865 that the last of problems had been worked out by the United States, and that the country had now no more to do than to enjoy its well-earned leisure, with none to molest or to make it afraid. The futility of the expectation has only become more evident with the years. No year has come without its problem. Some of them have been great and others small; but each in turn has pressed imperatively for a solution. The general success of the country in meeting them has been due in no small degree to prevision. The problem has not been allowed to roll up to its full potentiality of volume before the wisest solution that foresight could compass has been applied, and then modified in execution as circumstances seemed to demand. To this general rule of action there has been one striking exception. One problem, What shall be done with the Mormons? is still unsolved; the general lines of all the attempted solutions have proved total failures; the problem is rising swiftly to a volume which threatens to be beyond remedy; and experience brings no hope of an agreement as to the solution. Surely, the urgent necessity of dealing with other difficulties need not lead us to ignore this one until it passes the others and asserts its claim to the lead among all the topics of the time.

It has been a common belief that Young and the

other Mormon leaders who founded their State of Deseret in 1846-48 were coarse and ignorant men; and yet there are some circumstances which are not easily reconcilable with this view of them. This is particularly the case with their management of the *quasi* international relations between the Mormon community and the United States. It may be that they merely blundered into the advantageous position which we have found to our cost that they occupy. If so, it is odd that they have never happened to blunder out of it. It is a possibility, on the other hand, that they have acted under some guidance which was well read in our constitutional law, and possessed also a clear and far sight into the future. It may be that this is the reason why their action has so constantly hit the weakest joint in our national harness. If we look back over forty years' connection with them, and notice their successes in meeting every blow which has been aimed at them, it may aid us in finding the counteracting circumstance, the remedy which shall solve the problem and at last bring the natural forces of advancing civilization to bear upon them.

In 1845-46, when the first migration from Nauvoo to Utah was planned and executed, the country around the Great Salt Lake was still Mexican soil. It required no great foresight, however, to see that the culminating difficulties with Mexico might result in war; that the harbor of San Francisco would be an irresistible temptation to a conqueror; and that the annexation of San Francisco involved the annexation of the country around the Great Salt Lake. Still, all this was *in nubibus*; it might be or it might not be. If it should not be, the Mormon leaders would have gained their primary object. Their colony would be on the soil of a foreign, and that a very weak, government; it would be on the very outskirts of a country which could hardly maintain order in its capital city; and it would nevertheless be close to the border of the United States, and at the gateway of immigration. Supposing that the other alternative should be, as it was, proffered to them, that the United States should annex Utah, were the Mormons shut up to their first programme? Were they to meet annexation by a further migration into Sonora, or some other northern Mexican State? What were the advantages which kept them where they were, whose force the nation feels more severely with every year?

The American State, or commonwealth, has absolute power over the subjects of marriage and divorce. Any American State might at any time permit plural marriage within its jurisdiction, if it should so will. This fact might have kept the Mormons where they were, in the State of Illinois, with the purpose of gaining control of it and making it a polygamous State, but for the fact that the State had also the correlative power, when the danger should become visible, to crush the minority by imprisoning its leaders for violation of its marriage laws, while tolerating the lawless expression of the majority's public opinion. A territory where the Saints could be in the majority from the start, was the only safe place to begin a polygamous State.

But would the American Congress ever allow such a polygamous territory to become a polygamous State? Unholy as the affirmative proposition might seem, there was every chance in its favor, if patience could secure

her perfect work. Given a sufficiently large number of persons in a community, the proposition that the American people should keep them forever under absolute power was unthinkable. The Mormon community only *permitted* polygamy. The great mass of its members must always be monogamists. Let them have patience; let them submit to the imprisonment or disfranchisement of such of their few polygamists as should be convicted; let them only remain a majority, and the time must come when Congress, in some weak, hopeless, or over-sanguine hour, should admit the State of Utah. The gift of Statehood is irrevocable; once a State, Utah could not be deprived of her absolute power over marriage and divorce by any subsequent Congress, or by any instrument with the exception of an amendment to the Constitution, giving Congress the power to regulate marriage and divorce by general laws for the entire Union, and Federal Courts the power to punish for violation of them.

If this is the only remedy for a hasty or thoughtless admission of Utah to the Union, why not apply it now? Is it better to go on for years as we have done, holding this wolf by the ears, knowing that the chances are that it will some day escape? If that is to be our line of action, truly it was an astute and provident policy which kept the Mormons in Utah in 1848, for they had everything to gain and nothing to lose by a territorial location. Their population has risen from 11,380 in 1850 to 47,130 in 1860, 86,786 in 1870, and 143,963 in 1880. They are now more in number than the law requires as a constituency for a Representative in Congress; and their retention as a territory is every year becoming a greater strain upon our institutions. What are we to do when the population of Utah is a million or more? Are we still to keep them under the absolute government of Congress? Or do we imagine that our patience will be the greater, and that the Mormons will then be in the minority, or converted to monogamy? So far from that being probable, our delay is only preparing for us new difficulties of the same kind. The neighboring territories, Idaho, Montana, and Wyoming, are becoming infected with the Utah disease; and the time will come when we shall have on our hands the problem of holding in four polygamous territories, instead of one, from becoming States.

There are objections to be considered, of course. The leading objection would be that the proposed grant of power to Congress would be distinctly outside of any proper limits to a really federal system; that a national marriage and divorce law would be a long step on the road to a French, or unified, republican system. The validity of the objection cannot well be denied. The fact is with the objector. Circumstances, mainly the rise of Mormonism, have forced upon us one evil. The country must decide whether this single step toward unification is too large a price to pay for a final solution of the Mormon problem. The ratification of the amendment would for the first time stamp Mormon polygamy as forever hopeless. A State government under the proposed amendment would relieve Congress of any further necessity for governing Utah; it would remit the punishment of polygamy, including disfranchisement and exclusion from office, to the automatic action of the United States courts; and, by changing political

into purely legal prosecution, its natural effect would be to break up the influences which now make the Saints a consciously peculiar people, to urge the ambitious younger men out of its jurisdiction, and to strike at the ecclesiastical, which in many respects is more important than the mere polygamous, element of the question.

Again, it may be objected that such an amendment would merely substitute the loose Western divorce laws for the higher standard of the older States. Is there a Western State whose divorce laws are looser than those of Connecticut, the "land of steady habits"; or whose marriage laws and practice are looser than those of New York, the Empire State? As a matter of fact, it would be a blessing for most of the States, old or new, East or West, if national legislation on these subjects could take the place of their present systems. The Senator or Representative who would pay little attention to loose marriage and divorce laws in his own State, would hesitate before giving the legislation of the nation a character calculated to invite the contempt of sister nations. For the same reason the transfer of power would lighten, by concentrating, the labor of those devoted men who have so long been striving to reform State divorce laws. If they were released from the necessity of attacking thirty-eight different legislative bodies, and were referred to Congress alone, their efforts would have far greater promise of effect.

The evil itself has become so far national as to make national legislation applicable and appropriate. If the remedy through constitutional amendment is to be tried, the work cannot be begun too soon. The passage and ratification of an amendment to the American Constitution is about the most difficult legislative feat imaginable. To accomplish it before the Mormon problem shall have become hopelessly great, the work should be begun at once. If the first draft of the amendment should be offered in Congress in 1886, its passage and ratification would occupy probably ten years of hard work, and by that time the population of Utah will number about half a million. To leave the beginning of the work until that time would simply mean the admission of Utah as a State, out of sheer desperation, before the amendment could be ratified.

The Forgotten Millions.

MISCHIEF sometimes lurks in the tamest platitudes. Sayings that passed current until they were worn smooth have been found to be pinchbeck. The maxim which declares that it is better to feed a hundred mendicant impostors than to permit one worthy and needy person to suffer,—or, varying the form of the adage, that a hundred criminals might better be set free than that one innocent person be punished,—is by most persons accepted as a moral axiom, but it needs to be carefully analyzed.

Doubtless it is the dictate of humanity that no helpless child of want should be left to starve, as it is the dictate of justice that no innocent victim of circumstances should be made to endure an undeserved penalty. So far as it is possible in the wise administration of our charities and in the vigorous execution of our laws to prevent such wrongs, they ought to be prevented. But

lative power by which American society deals with disorder; first the sheriff with his *posse*; then the governor with the militia of the State; and finally, and in the last resort, the President with the regular troops of the United States; so that a sufficiently serious resistance can only result in arraying against it the entire physical force of the nation. Every indication to be drawn from past experience warns us to rely on the militia of the States as the main instrument for the preservation of order, keeping the little regular force as the final trump card, to be played only when the state of the game imperatively requires it.

The State militia, then, is the key to the situation. How the States have dealt with their trust it is hardly necessary to say. The story is the same in all the States. In each there are a few "crack" regiments, usually in the cities, and a number of others which figure largely on paper, but would need several months of active campaigning in order to take rank as a really effective military force. Some of the companies hardly ever see one another until they touch elbows for the first time while listening to the reading of the Riot Act. Such a force must of necessity be but a broken reed when the State comes to lean upon it; and the persistent refusal of the States to better it is only symptomatic of that general policy which subordinates everything else to the securing of time for the legislatures to engage in the more congenial business of deals, to the neglect of the protection of the State and its interests. There is small hope for the State militia, when left to the tender mercies of a State legislature.

There is no need that it should be left to any such fate. The Constitution, in the eighth section of Article I., gives complete authority to Congress to meet the emergency in question. It empowers Congress, by general law, (1) to provide for organizing, arming, and disciplining the militia; (2) to provide for their use in executing the laws of the Union, and in suppressing insurrections, and (3) to provide for governing the militia, when so called out, reserving to the States the appointment of the officers, and the execution of the discipline prescribed by Congress. There stands the power, waiting for Congress to put life into it, if that estimable body could spare time for the work at any of its sessions. One-fifth of the appropriations in the River and Harbor Bill, one-fiftieth of the heart-burnings, jealousies, and log-rolling which mark the annual progress of that measure, would put American society into a position from which it could consider judicially and decide justly the conflicting claims which now so seriously threaten the public tranquillity. To decide under the pressure of riot and disorder is of necessity to decide unjustly. For security against such a calamity it is only necessary for Congress to exercise its plenary power under the Constitution. Will the new Congress do it?

Marriage and Divorce again.

THE last issue of THE CENTURY contained a suggestion that a solution of the Mormon problem might be found in the ratification of an Amendment to the Constitution, giving to Congress the power to legislate for the whole people on the subjects of marriage and divorce. It was possible in that article only to indicate the reasons for the step proposed, in its bearings

upon the Mormon problem; but, when we leave that comparatively narrow phase of the question, far larger interests open up and press for consideration.

The objection which will first occur to most men is that Congress is not able to accomplish with any great success the work which is now admittedly within its constitutional jurisdiction, and that it would be folly to add a new burden to the load which is already too great for Congress to carry. Most of the force will be taken from the objection by laying stress upon the perfectly fair distinction between that which Congress *may* do and that which Congress *must* do. Congress may, undoubtedly, waste a whole session in pottering about the affairs of the District of Columbia, to the neglect of more important matters; but it is surely not wise to encourage it in the practice by laying down the rule that, if Congress will do so, its persistence must be a good excuse for its more injurious neglects. The time has evidently come when Congress must be brought to abandon many of the subjects on which it has been in the habit of legislating. The country and its interests have come to be so large that Congress cannot be permitted much longer to act as a parish vestry for the care of town pumps and other minor things. Willingly or unwillingly, Congress must become a really national legislature. Perhaps the imposition of a new burden of this sort might aid in forcing the development of that which must come in the long run.

A quite parallel objection would arise as to the effect of the proposed change upon the Federal courts. They are already clogged with unfinished work; is the whole mass of the marriage and divorce business of the Union to be added to the amount? The answer would be much the same as that just given. The congested state of the Federal judiciary has arisen very largely from the assumption by Federal courts, or the imposition upon them by Congress, of functions which would be better performed by the State courts. The process was probably inevitable at a time when some of the State courts could not, perhaps, be fully trusted on certain cardinal questions. Hardly any lawyer will insist that this reason is still of weight. For example, since the Civil Rights clause has been invalidated, and Southern State judges have been thrown back upon their professional honor and the Common Law, the lines of Southern decisions are taking directions which are startling; and it begins to look as if the rights of the freedmen were rather safer under the ægis of the Common Law than even under a Ku Klux Act. Let us change the policy and set the State courts at work where we can. Until this be done, any new duties which will increase the congestion of the Federal courts and force a change will be only a blessing slightly disguised. It will hasten the day when the Federal judiciary shall no longer be a mysterious agency, several years behind time, whose innermost *arcana* are only to be penetrated by the richest of men or the strongest of corporations.

Social objections are, after all, the strongest. Laws may be made by wholesale, but, unless they are evolved by popular needs, or unless the popular life and feeling meet them sympathetically, they must fail, and perhaps ought to fail. Is it possible, then, to frame a marriage and divorce law for the United States which shall satisfy the general feeling of the American people? A law which should represent very

exactly a mathematical average of the public sentiment of the country might fail to represent more than a minute percentage of absolute sentiment. An average does not necessarily represent anything. To all this it will be fair to answer that there are really two kinds of sentiment in our people — the local and the national. The effects of the distinction may be seen by supposing that the regulation of divorce were remitted to the towns. Removed from general inspection, exposed to the full power of a few influential and interested individuals, the towns would certainly make our divorce laws even a greater stench than they now are. Even State control, though it has avoided some of the evils of town control, has not avoided all of them. Local sentiment might tolerate loose divorce laws by a town, or even by a State; but a proposition for a loose *national* divorce system would call into action a national sentiment on the subject which has never yet been fairly voiced. It is not meant that the general sentiment would drown the local, but that the voters and their representatives, if called upon to approve a loose divorce Act of Congress, would look at it from quite a new point of view, and would have a hesitancy about exposing the nation to the condemnation of Christendom which they would never feel if only their town or State were in question. As this mode of public sentiment is an utterly unknown quantity, it must be a matter for individual judgment how far it would operate to restore the balance, so that a divorce law, too stringent to satisfy the local sentiment of the town of A or of the State of B, might be perfectly in accordance with the *national* character of both. To us it seems to be the factor needed; but at all events it is one which has not received adequate consideration, while little more than a statement of it is needed to show its importance in any attempt to forecast the results.

The objection just mentioned, if it should be pressed, as it certainly would be, would at once bring out to view one of the worst evils of our present system. The objection implies that a divorce law which would suit New York would not suit Louisiana or Oregon,

or even New Jersey or Connecticut. The objection would have more weight if interstate migration were of as small proportions now as a century ago. In 1880, nearly ten millions of our population were living in States other than those of their birth. Suppose one-half of these were women, and the magnitude of the evil becomes apparent. No class is so much exposed to the purely legal evils of our divorce system as women; no class is so ignorant of them. The little that a woman knows of the marriage and divorce laws of her own State is the result of a long series of petty social observations. Leaving the State of her first residence, she loses all the little knowledge she had, and goes into her new location as ignorant as a child. When the ablest lawyer can hardly make anything intelligible out of the marriage laws of the State of New York, wherein shall the average woman dare to rely on her own knowledge? So far from its being true that the social repulsions of the States are an argument for State marriage and divorce laws, the mobility of our modern population exposes a very large class to constant and extreme danger from them. While the States make these laws, a woman must take her social life in her hands whenever she steps an inch out of the beaten path of ceremony; and even when she thinks she has kept the beaten path she is apt to find that she has merely been committing social suicide. The social repulsions of our men may demand State laws on these subjects; but are the interests of our women to count for nothing?

It is true that the transfer to Congress of legislative power on marriage and divorce is, in more senses than one, a leap into the unknown. But, when it offers so promising, so clear a road to the solution of the Mormon problem, when it offers assurance of security to a great and helpless class of our ever-moving population, when the indications from analogy are that the unknown will be advantageous to the social and political interests of the people and injurious to none, the subject is evidently one for the most thoughtful consideration, lest opportunity, once let slip, should pass from us forever.

OPEN LETTERS.

The Outlook of the Fisheries.

THE future of our fisheries is a subject which is now attracting a large share of public attention. An industry that in 1880 employed 131,426 men, an invested capital of \$37,955,349, supported a population of more than half a million, and the annual product of which, at the prices paid to the fishermen, was \$43,046,053, is certainly entitled to consideration as an important factor in our national growth and prosperity. Especially is this so when it is considered that the harvest thus reaped is taken from the sea — from fields that no man has sown — and the gathering of which trains a large body of hardy and enterprising men, who constitute a self-supporting militia of the sea, a force of inestimable value to any nation that aspires to naval or commercial greatness.

The question of the hour is, what ought to be done

to foster and protect our fisheries, in order that they may be carried on with that reasonable assurance of success which alone will guarantee their continuance? Will success be best assured by some so-called reciprocal arrangement with the British provinces, similar to the Washington treaty recently expired? or will greater prosperity be attained under the treaty of 1818, which is now in force? The answer to this question has been most emphatically given by the entire fishing population of New England. The expiration of the fishery clauses of the Washington treaty was hailed with unfeigned satisfaction, and during the past winter they unanimously declared in memorials to Congress that the inshore British fishery was absolutely valueless to them. It was stated "that there was nothing in its use as a fishery that our fishermen desired the Government to procure for them at the price of any equivalent, whether in opening our

with the great body of citizens. The endeavor to play the veteran as a pawn in the political game is one which may well excite his indignation, since it degrades that which should be his highest honor.

It would result in an enormous service to the country if the men who fought for the preservation of the Union would ask themselves whether their work is complete,—whether, unapproachable as is our system in theory,* it is, as administered, the model which they would be satisfied to hand down to posterity. Let veterans who are properly sensitive in regard to the *emblems* be sure that also they do not fail to cherish the *substance*, of their victory. Many evils menace us—far too many for us to waste our energies in combating fancied ones. What has been preserved by the war, fundamental as it is, is merely the possibility of a continuously great and happy nation. Constitutions and laws “can only give us freedom”; it is the use we make of this freedom that will determine the value of our national life and its place in history. The Union, therefore, will have to be saved over and over again, first from one danger and then from another. Just now it needs very much the help of the best thought and energy to save it from “the mad rush for office” which has wrung despairing cries from our later Presidents. At this most critical stage of the Merit System,—the stage of partial success,—and when special efforts are making to array the veteran element against it, one may bespeak for it the thoughtful consideration of those who gave their best years that “government of the people, for the people, and by the people should not perish from the earth.” We regard the complete reform of the civil service as the cause of the people, and as the reform before all others, since it is the reform of the machinery by which other reforms are to come. So long as the personnel of the executive and legislative service is in the control of party workers, the expression of the people’s will is in the control of partisan conspiracies, backed, as they always are, by the capital of vested interests. Have our people not already suffered enough on this score? Let veterans consider whether they will lend their influence to the impairment (even, apparently, in their own favor) of a system which substitutes for the will of the party henchman an equitable test of fitness for that part of the civil service which properly has no more relation to party policy than has the regular army.

Personal Records of the War.

ANY one who has attempted to settle a disputed point of war history or to construct a map of an engagement knows how desirable it is to have the fullest consensus of evidence in order to establish the smallest circumstance. The official records are invaluable and in themselves compose a large part of the history of the war. But they are far from justifying the blind faith with which they are appealed to in some quarters. Who, from the unassisted reports, would be able to reconstruct the character, the *eidolon*, of Grant, or McClellan, or Hooker, or Lee, or Jackson, or Hood?—and yet, in war, the personal equation is everything. Moreover, the official records are often inconsistent with themselves, because they are not free from human imperfections and the bias and exaggerations of the moment; and they will therefore acquire a larger

* Lord Salisbury is said to have called it recently the most conservative government in the world.

value as time goes on from comparison with the often more candid and circumstantial diaries and letters of the time and even with general recollections. In the preservation of extra-official history much has been done by the veteran organizations and historical societies—on the side of the South (where many data remain to be supplied) by the Missouri and Virginia Southern Historical Societies, among others; in the North notably by the Soldiers’ and Sailors’ Historical Society of Rhode Island and by the Boston, Philadelphia, Cincinnati, and other Commanderies of the Loyal Legion. It would be well if these bodies could add the important function of editing to those of collecting and publishing historical data. This could often best be done locally, by comparing the concurrent testimony of the survivors of each regiment in the neighborhood in which it was recruited. In this way it may yet be possible, by the aid of letters from the field, to sift out errors and to establish a body of historical evidence concerning the regiment which will have authority in the verdict of the future. The regimental record is, after all, the unit of army history. Happily regimental and State pride have produced a considerable body of this writing. But no veteran should consider himself released from the service until he has made the most accurate record possible of what he saw and knew. The large number of such manuscript narratives which we have received in the past three years, and which lack of space and the topical plan of our series have made unavailable, have included many of importance as cumulative or direct evidence. This material, carefully edited, and prefaced by a schedule of the subject-matter, may well be deposited with the archives of some historical society where in years to come it will be accessible to those students who will take the trouble to examine and weigh it. We have already presented to our readers many important narratives of the military events of the great struggle, written by privates and officers on both sides. We are now about to take a broader look at the War for the Union from another point of view,—through the kindly eyes of him who wisely directed its policy, and whose principles triumphed to a fuller nationality. From the story of the man in the ranks to that of Abraham Lincoln let no true record of the contest perish and no lesson of it be lost to the new, united nation.

The Last Hope of the Mormon.

THERE comes a time, in pitched battle, when one of the two opposing lines begins to show those signs which, to a military eye, indicate failing energy and a readiness to give up the struggle. The charges which have hitherto been rapid, successive, and resolute are succeeded by an inexplicable pause and a wavering of the whole line; or the crowning charge, on which the eyes and hopes of the whole line have been fixed, becomes slower and slower in its advance until it halts irresolute; or the last reserves are hurried into action, without increasing the energy of the defense. It is at such an instant that Waterloos and Gettysburgs are lost and won; and the indications are that such an instant has come at last to the Mormon hierarchy.

No warfare has been more intolerable to the American people than that which its Government has been compelled to wage for years past on the so-called re-

ligious system known as Mormonism. For the warfare has never been directed against any tenet which could in fairness be called religious. The Mormon has as much constitutional right as any other American citizen to found his faith on Mormon, Moroni, Lehi, and the rest of the tribe, to look with reverence to the hill of Cumora, and to govern his practice by the revelations of any leader who pleases him. The American Government has never attempted or desired to interfere with this right. But, when the practice inculcated by the revelations is criminal by the laws of the land, equal-handed justice to the non-Mormon citizen demands that the Mormon be compelled to obey the laws, as others are compelled to obey them, or to find another land which will allow him superior privileges. Such a government is responsible to God, to history, to international public opinion, and to the opinion of those who make the laws, but not to the Mormon, any more than to any other law-breaker. The influences which admittedly control the Government's action may produce a modification or repeal of the law; but, so long as the law exists, the Mormon must obey the law of the land in which he condescends to live.

It has thus been necessary, not for religious but for political reasons, that the Government should wage active warfare upon action which Mormons have claimed to be an article of faith and practice. And as the mass of the Mormons reside in a Territory, which is under supreme control of the Congress of the United States, the penal laws have been stringent and severe. It has been possible, and in the judgment of Congress necessary, to disfranchise the whole body of Mormons, as well as to punish any detected case of bigamy or polygamy. Such a course, involving the refusal of self-government to so large a community, and the retention of Utah as a Territory instead of a State, for an indefinite time to come, is abhorrent to every political instinct of the American people; and many of them have been inclined to doubt the wisdom of the whole policy. To such, it must be reassuring to note the symptoms of yielding which mark the attempt to put Utah before the coming Congress as an applicant for admission as a State.

On the first day of July last, a constitutional convention met at Salt Lake City. The official representatives of the two national political parties in the Territory unite in declaring that the convention represented only the Mormon Church, and their assertion has never been denied. The presiding officer of the convention admitted, with general agreement, that "previous obstacles to the admission of Utah must be faced frankly"; and this is the "frank" manner in which the Mormon Church proposes to face them. Provision for the punishment of bigamy and polygamy, even without State legislation, is made a part of the State constitution, and the repeal of this provision is forever forbidden, without the present assent of Congress. This, in brief, is the Mormon solution of all the difficulties which lie in the way of the admission of Utah as a State.

The solution is not altogether novel, nor was the success of it in its most prominent application such as to give very hopeful anticipations for the present proposition. After it had been decided, by the Compromise of 1820, that Missouri should be admitted as a State, an examination of her proposed constitution showed

that she refused to free negroes the rights given to them in other States. All the excitement which the Compromise had allayed was renewed; and it was with the greatest difficulty that another Compromise was adopted, admitting Missouri, on the fundamental condition that the inchoate State should pass just such a "public and irrevocable Act" as Utah proposes, agreeing never to construe or to execute these provisions of the State constitution so as to bar free negroes from the right of entrance to the State. In June, 1821, the legislature assembled and passed the Act required, with a preamble long afterward stated by Senator Douglas as follows:

"Whereas, Congress has prescribed these terms as the only condition on which the State of Missouri can be admitted to the Union on an equal footing with the original States; and *Whereas*, the said terms are in palpable violation of the Constitution of the United States, and grossly insulting to the people of this State, and such as Congress had no right to pass and as the people of this State ought not to accede to; and *Whereas*, the people of Missouri do not intend to respect or be bound by the said conditions, or to acknowledge the right of Congress to impose them; but inasmuch as we cannot obtain our constitutional rights in any other mode than by giving our assent to the same, with the protest that we shall not respect them: Therefore, be it known that we, the people of Missouri, do declare by this fundamental and irrevocable Act," etc., etc.

The State was declared admitted, by President Monroe's proclamation of August 10th, 1821, but, remarks Douglas, the President took good care not to publish the terms of the "public and irrevocable Act" of Missouri.

If the establishment of bigamy or polygamy, as a legal relation, depended upon the positive action of a State legislature, one might see some force in the proposed "public and irrevocable Act" of Utah; but, even then, the preamble of the Missouri Act should be added to it in order to reach its full significance. But, in the Utah case, no positive action is needed; the State authorities need only take a negative position, and do nothing, in order to give the Mormon Church all that it wants; and no State constitution can bind State authorities to do anything which the mass of their constituency support them in refusing to do. It is evident, then, that the plan of a fundamental condition, worthless as it has proved in practice, would be a mere farce in the case of Utah.

But what more can Utah do? This proposition is not only the last hope of the Mormon; it is our last hope of getting anything from him, for he can do no more at present. It is true that he may repent and do works meet for repentance; but are we to keep this miniature Ireland on our hands until we are satisfied of his repentance? How many years can we afford to wait? And after all, when we become satisfied as to his repentance and admit Utah as a State, what are we to do if we find that his repentance was feigned, and he is still really unregenerate! He will then in his legislature have complete control of the subjects of marriage and divorce, and of all offenses connected therewith.

The fact is that every new development only adds force to the belief that the only solution of the question is in making bigamy and polygamy Federal, not State, offenses. When this subject of marriage is transferred to Congress, then, and not until then, will it be safe to admit Utah as a State. Until then, the Federal Gov-

ernment cannot solve the problem, and must keep Utah under tutelage as a Territory; until then, the Mormon himself can give us no assurances which a man of ordinary prudence would be justified in accepting. From the latter point of view, this proposition of the Mormon Convention, encouraging as it is in its indications of weakness, is even more important in its warnings of the future. The crisis of our battle has come, and it finds both parties stalemated; the successful line cannot win the battle, and it is just as impossible for the conquered to lose it. We have now come to the end of discussion, under present conditions.*

The Jury System.

SCARCELY any other wheel of our political system is in such constant motion as the jury system. From the little country court-room, where a petty jury sits to decide a matter of debt or ownership of property, to the crowded city building, where a jury sits to decide on the facts in the prosecution of a great criminal for murder or fraud, or on the existence of a great corporation, juries, in all degrees of importance, are at work on every calendar day of the year. Remove this one wheel suddenly from our system, and every other wheel would run whirring to a stand-still. Even though an entire removal of it be impossible, any influence or set of influences, which tend to sap the power of the jury system, is evidently at work on all the rest of the system, and may bring with it results which are quite impossible to measure.

The English jury has gone through many and fundamental changes from its original form until the present day. Originating in the Teutonic notion that all disputes between man and man were to be decided by the popular meeting, before which each disputant brought his "suit," his following of friends and supporters, the deciding body, was gradually reduced to a definite number, selected from the citizens who made up the popular body. But this "jury" was carefully taken from the "vicinage," from the immediate neighborhood of the seat of the dispute, and was composed of men who were presumed to have complete knowledge of the circumstances, and to decide the dispute from antecedent knowledge. When this condition had become an evident failure, outside persons, the modern "witnesses," were added, with the power of imparting their knowledge to the jury, but not of taking any part in the ultimate decision. As this new feature became more firmly established the antecedent knowledge of the jury became antagonistic to the general system, and the law was slowly settled that the juror who had antecedent knowledge could only use it as a witness. This was diametrically opposite to the original notion, though the forms and purpose of the jury were generally preserved. But, from that time, whatever the law may say, the fact of antecedent knowledge has been an objection to a juror: he who knows anything of the facts of a case in advance may be a good juror, but the prejudice is against him. Counsel for one side or the other, or for both sides, regard his appearance as an intrusion if not a gross injustice; and the court is sometimes driven to bring in its whole force in order to secure as a juror a man who has knowledge and an

intelligent opinion, but can nevertheless give a verdict on the weight of evidence.

How is this feeling to be reconciled with the existence and characteristics of the modern newspaper? The reconciliation might be possible if a criminal could be caught, the legal machinery set in motion, and a jury empaneled, within twenty minutes after a crime had been committed. But, in the natural course of events, the newspaper is weeks, months, even years ahead of the law. It spreads before all the world the facts, colored and uncolored, which are to be in dispute in the coming trial. The citizen who desires to be exempted from the troublesome jury service has only to read the newspapers with assiduity, to form an opinion and to express it in good set terms when summoned as a juror, and his object accomplishes itself. Thus the system, instead of a school of instruction, has become a corrupter of citizenship. It might be made a means of teaching the citizen a lesson which would be of the highest service to the State in all his relations to it and to his fellow-citizens,—the lesson that an intelligent and reasonable man may and should hear statements of fact, and still be able to hold his final judgment so far in abeyance as to take into the balance any new evidence which may be offered. This is to be not only a good juror, but a good citizen, a good politician, and a good member of society in all its relations. The man who, when examined as a juror, states with regret that he has read the newspaper accounts of the case, and has formed an opinion which is too strong to be overcome by evidence, ought to receive a public rebuke from the court, and be sent from the court-room to read, in his newspapers of the following day, the record of this rebuke. If exemption on this ground must come, let it come in this shape, and it will be the less longed for.

But the more serious danger is in the administration of our cities. It has come to pass that more than a fourth of the American people dwell in cities; and the percentage is increasing. Inefficient, slovenly, or fraudulent methods in the preparation of the lists of citizens from which jurors are to be chosen come in with bad city administration, and they constitute an influence which, acting directly on the jury system, acts indirectly on the whole political and social system of the United States. Even a tolerably good administration in other respects could never keep pace with the increasing dangers which city life tends to array against the jury system. The conditions are no longer the same as those under which the jury was born and bred; the locality is no longer one in which everybody knows his neighbor, and can tell whether the person summoned as a juror is lying or speaking the truth; the nearest neighbors in a city may know nothing of one another, and the statement of opinion on the examination of possible jurors has been very much released from the control of public or social opinion. Under these circumstances, that part of city administration which deals with the enrollment of citizens liable to jury duty can no longer be simply tolerable: it must be the best, the most intelligent, and the cleanest feature of the city government. How far this department of American city governments answers these requisites may be learned from any city lawyer in active practice.

Lawyers, however, do not like to say anything on the subject. The lawyer who has lost a case by reason

* See Topics of the Time, THE CENTURY for September and October, 1886.