

ITALIAN EPIGRAMS.

[Translated by E. Cavazza, from an article in the *Nuova Antologia*.]

I.

A LITTLE Love in the wide world astray
Knocked at the doorway of thy heart, fair maid ;
Another Love came forth to him and said :
" Brother of mine, proceed upon thy way ;
To seek a shelter thou in vain art come ;
Too many of us are here,—there's no more room."

II.

This is Love's nature, and a strange portent :
It lives on hunger, dies of nutriment.

III.

To live in peace the way is understood :
To do no harm to any—and no good.

IV.

(A reminiscence of the *Rit Galantuomo*.)

This is a little thing,
Not witty, neither wise :
Hunting one day, a chevalier asked the king
To give him a cigar.
King Victor takes his case out, and replies :
" Cigars and decorations surely are
Trifles which none denies."

V.

(Here is a bitter portrait from the times of the Austrian rule in Italy.)

A powerful ruffian, you the folk oppressed ;
The tyrant hung an order on your breast ;
When as a traitor rumour branded you,
The stranger gave you order number two ;
To-day a rebel to your former king,
Now from your buttonhole new crosses swing.
But your crosses, chevalier,
Graveyard crosses all appear ;
For every cross that glitters on your vest
Marks where a virtue died within your breast.

VI.

(A picture of the awkward Austrian police, in the States of Modena and Romagna.)

Squads of guards and of gendarmes
And various night-patrols,
With the clatter of tongues, of arms,
And tramp of heels and soles,
Warn afar the citizen :
" We apprehend all vagrant men."
A brave and loyal way, in fact,
Not to catch rascals in the act.

VII.

(Another epigrammatist makes invidious distinctions *à propos* *Rit Galantuomo*.)

Because an honest king the people found,
A miracle, they cry, is he we have crowned !
O royalists, your praise is ill-expressed ;
What kind of kings, then, must be all the rest !

VIII.

A crowd of heirs about the rich man's bed
Stood silently and with uncovered head ;
Then the shrewd notary in a whisper said :
" They fear, if they should speak, 'twould wake the dead !"

IX.

I went to see your tragedy, my son,
" The Downfall of the First Napoleon."
I saw with great enjoyment, it is certain,
The Emperor fall, and after him the curtain !

X.

(Two savage utterances of an author of rejected addresses.)

Though you, the editor of the *Gazzetta*,
Threw in the waste-basket
And treated with derisive
Laughter, my first incisive
Epigrams, still I feel no bitterness.
I'm not ashamed, except of the address !

XI.

Wandering in quest to find your daily bread,
A critic by profession,
Ravage and harm you spread
Throughout my small possession.
My epigrams you nibbled,
Then raised your nose on high, and brayed, and scribbled.
Is it my fault, you donkey on two feet,
If epigrams are nothing good to eat ?

—The Transatlantic.

No gentleman ought to remove his hat in an elevator.
An elevator is not a parlour, but is always a part of the public hall ; and to see all of the men in it snatch off their headgear when a lady enters, is at once amusing and preposterous. It is a sight moreover, which cannot be seen anywhere on earth but in America. No gentleman in Paris or in London or in Berlin would think of doing such an audacious thing. If gentlemen take off hats in department elevators they ought to remove them in street-cars.—*Washington Post*.

MORMONISM AND THE CRIMINAL LAW.

It is confidently expected that there will be next spring a large number of Mormons settled here, as late in the autumn several of their chief men visited their new settlement at Lee's Creek and were greatly pleased with the country. They speak confidently of the Dominion having no laws prohibiting polygamy, concerning which lawyers seem to think there is a doubt. Legislation is absolutely necessary on this question, for the settlement of one or two hundred thousands of polygamists in this fair district might have the effect of retarding the progress and civilization of the country beyond present conception.—*Globe*, 15th Jan., 1890.

THE recent settlement of a colony of Mormons in the Territory of Alberta, while it appears to have attracted but little attention in the public press, and to have excited no great or general interest throughout the country, is yet an event which, taken in connection with the circumstances attending it, would seem to be worthy of more than passing notice. Indifference to it may be accounted for partly by the fact that knowledge of the history, religious beliefs and social customs of this peculiar people is not as yet widely disseminated among us ; and partly that the settlement is so far of a numerical importance too trifling to assume the character of an invasion. Moreover, whatever apprehensions might be aroused in the public mind at the thought that a considerable band of polygamists had already found a permanent abode within our territory has been partially allayed in advance by the report, whether true or false remains to be seen, that the settlers are of that subordinate sect of Mormons who do not practise polygamy.

Upon this latter point we may be permitted to have our doubts. It might be expected that these colonists would prefer that our first impressions of them should be satisfactory, and that they would hence maintain at least a becoming reserve with reference to this question—naturally the first to excite our interest and upon which some reassuring information would not fail to be looked for. The fact, if substantiated, that their emissaries made special enquiry as to how far the laws of Canada are opposed to polygamy and that they subsequently reported (prior to the incoming of the colony) that polygamy is not an offence in this country, is at least pertinent. Beyond this, it appears to be true that these settlers are not the first Mormons who have settled in the North-West, and that for several years polygamy has been practised among the earlier arrivals without any great show of secrecy.

With the institution of polygamy, or plural marriage, as an absolutely fundamental doctrine, all conceptions of Mormonism are, in the public mind, inseparably connected. Nor is the common impression that a Mormon is necessarily a polygamist, in creed if not in practice, far astray. It is true that polygamy is condemned by the Book of Mormon and dates back no further than the divine revelation to Joseph Smith made some thirteen years after the miraculous discovery of that volume. Yet it is without doubt this striking feature of belief or religious observance which now successfully attracts attention among the ignorant folk who are sought as converts throughout Europe and elsewhere. It is the chief of the many features which distinguish this alleged "Church of Christ" from all others, and has been stubbornly retained and adhered to, not only on account of the sanction afforded it by divine revelation, but also for its recognized value in increasing the membership of the sect, and consequently the revenues of a tithe-collecting hierarchy whose personal gains are not lost sight of in spreading the light of the newer faith. There may be Mormons who do not practise polygamy ; the teachings of the sect of Josephites are said to condemn its observance ; nevertheless a majority of the two hundred thousand Mormons now settled in Utah and Arizona are practical polygamists ; and what little experience we have of our own Canadian Mormons would lead us to believe that they do not differ widely in any respect from their American brethren.

To suppress the practice of polygamy, the United States Government has struggled for the past quarter of a century against the whole power of the Mormon Church, and not without success. It is true that polygamy is not yet stamped out, but there is little now of the old-time gratuitous offensiveness to public opinion with which twenty years ago it was practised and preached. This in itself is something. The lesson taught by each successive conviction and imprisonment, the quiet maintenance of the law of the State as against the law of the Church is having its effect. Already the Church perceives that it has lost the game, and this fact, however lightly we may esteem it, is one not without interest for ourselves in Canada. Owing to causes which space will not permit us to investigate here, it is believed that another of those migrations which are not uncommon in the history of this sect will be forced upon it and may soon take place. It is no secret that the matter has been under advisement by the presidents of the Mormon body for some years. Should a favourable decision be come to, it may take shape in a general exodus beyond the Northern or Southern boundary of the United States, since the "persecution" to which polygamists are subjected renders necessary the selection of a resting place over which the jurisdiction of the United States Government does not extend. Viewed in the light of these facts it will be seen, therefore, that it is by no means unlikely that the settlers at Lee's Creek are but the forerunners of other and larger bands whose coming may bring us face to face with the Mormon Question, with all that those words, having in view the experience of our Republican neighbours, imply—a question surely of no little moment to us, whether regarded from a social or national standpoint.

The object of this paper is to enquire whether it be true, as claimed on behalf of these immigrants, that our

laws do not prohibit polygamy. In defence of this custom, it has been from the first the effort of all Mormons to claim respect for its observance as a religious institution, but this need confuse no one. With the religious belief of any body of men, however coarse the texture of its fallacies, our law does not concern itself. The law deals with acts, and pays no attention to beliefs, save so far as may be necessary to enable it to interpret correctly the character of an act. No religious belief will justify an act condemned by law.

The word polygamy, though not unknown to English law in former times, is somewhat a stranger to our more modern legal nomenclature. The only synonymous term known to our law at present is bigamy, which of course includes polygamy, using the latter word somewhat in the extended sense applied to it under the later statute law of the United States, but restricting it in the scope given to the term in that law. In England, bigamy, until the time of James I., was known as an offence of ecclesiastical cognizance only. The Statute 1 Jac. 1, cap. 11, passed in 1604, constituted it a felony punishable with death and this statute forms the basis of all subsequent legislation upon the subject. This enactment was repealed by 9 Geo. 4 cap. 31., which, with a few verbal changes only, is our R. S. Canada cap. 161. The Statute of James was generally adopted, by recognition or re-enactment, in most of the United States, but formed no portion of the law of their Western Territories. Thus at the time of the arrival of Brigham Young and his band of Saints from Nauvoo in Utah, in 1847, no such offence as bigamy or polygamy was known in Utah ; and this continued until 1862, when Congress made bigamy a crime in the Territories. There can be little doubt that Young was influenced in his choice of Deseret by this consideration, and that as early as that date polygamy had already come to be considered that doctrine of the Church necessary above all others to be preserved.

This enactment of 1862, known as the Poland Act, was the beginning of the struggle for the suppression of polygamy, and it was after the experience gained through constant, though not always successful, endeavour to enforce this statute, that the fuller statute of 1882, known as the Edmunds Act, was passed. This latter Act is a well conceived piece of legislation of the most effective character. It may be useful, in order to show the difference in the two statutes, to print them in parallel columns ; the amendments dictated by experience of the working of the earlier statute are thus more easily shown :

POLAND ACT.
(July 1, 1862.)

Every person having a husband or wife living, who marries another, whether married or single, in a Territory or other place over which the United States have exclusive jurisdiction, is guilty of bigamy, and shall be punished by a fine of not more than Five Hundred Dollars, and by imprisonment for a term of not more than Five years, (exceptions omitted).

EDMUNDS ACT.
(March 22, 1882.)

Every person who has a husband or wife living, who, in a Territory or other place over which the United States have exclusive jurisdiction, hereafter marries another, whether married or single, and any man who hereafter simultaneously or on the same day marries more than one woman, in a Territory or other place over which the United States have exclusive jurisdiction, is guilty of polygamy, and shall be punished by a fine of not more than Five Hundred Dollars and by imprisonment for a term of not more than Five years.

(3) If any male person in a Territory or other place, over which the United States have exclusive jurisdiction, hereafter co-habits with more than one woman, he shall be deemed guilty of a misdemeanor ; and on conviction thereof shall be punished by a fine of not more than Three Hundred Dollars or by imprisonment for not more than Six months, or by both said punishments in the discretion of the Court.

(5) In any prosecution for bigamy polygamy or unlawful co-habitation under any statute of the United States, it shall be sufficient cause of challenge to any person drawn or summoned as a jurymen or talesman, that he is or has been living in the practice of bigamy or polygamy or unlawful co-habitation with more than one woman ; or that he is or has been guilty of an offence punishable by either of the foregoing sections or by section 5352 of the R. S. U. S. or the Act of July 1st, 1862.

The necessary facts to be proved upon indictments for bigamy under nearly all statutes framed on the lines of 1 Jac. 1. cap. 11, are few and simple ; they are (1) the prisoner's first marriage ; (2) his second marriage ; (3) that his first wife was alive at the time of his second marriage and (4) that the second marriage took place within the jurisdiction of the court trying the offence. We need not at present consider the trifling differences in the statute law of different English speaking countries nor the exceptions. The above are practically what would be called for in a prosecution under Dom. Stat. cap. 161. They are also practically what was called for under the Poland Act.

A brief examination only of the American cases decided under the Poland Act is sufficient to indicate to us that, while no doubt ample in ordinary cases, that statute was rendered practically inoperative as against Mormons by reason of the peculiar difficulties attending prosecutions in territories where these people constituted the large majority of the citizens.

The first practical difficulty met by the public prosecutor among a community of Mormons was that a grand jury composed of men of this sect could never be trusted to return a true bill in any case, no matter how flagrant ; indeed, it was found, conversely, that a Mormon jury