

EDITORIALS.

THE RIGHT MAN IN THE WRONG PLACE.

THE fun-loving portion of the public of this city and vicinity was highly entertained by the clever performances of the Vokes family a few months ago, of which performances that entitled, "The Wrong Man in the Right Place," was considered by many the happiest and best of the three presented by the talented artists named.

That burlesque, farce, or comedy, or whatever else you may term it, theatrical, was a very amusing and enjoyable affair. Scarcely less funny or amusing, though far less happy, are the burlesques, farces, or comedies, or whatever else you may term them, judicial, which are presented ever and anon in this city. The chief actor in these is a very peculiar personage, and his performances are about equal to those of the Vokes in the matters of uniqueness, vigor, and energy, if they are not in ability and artistic finish.

As a natural consequence, the intemperate outbursts of this gentleman in the presence of the public are matters of surprise and unfavorable comment, as well as amusement, to many citizens. The surprise is that a man in his high position should belittle himself by such derogatory indulgences, as they are altogether acts of unnecessary self-debasement. If a man does not respect himself and show that he does, how can he expect others to respect him? Self-respect is the basis of all sound respect from others.

Now we hear of the gentleman inflicting a scorching scolding upon one person and anon upon another. At one time it is Mr. Miner that is the object and we might almost say victim of these indignities. Then it is the Hon. Z. Snow, then it is the *Herald* editors, then Mr. Sutherland, then Mr. Keithley. Nor are these the only objects of judicial explosions of wrath, but these will suffice for illustration.

As passion feeds upon itself and grows with every indulgence, so in the case of this unfortunately endowed and mentally ill-balanced gentleman, the older he gets the more he seems to give way to this weakness of his, until it threatens to become chronic, if indeed that stage of the disease has not already been reached. He does appear to be degenerating into a confirmed scold. He can "rake a person down" almost like a very drab, when his prejudices, or his passions, or both, are excited. His scoring volubility and energy are of no common order. He notably excels therein.

Of course the citizens generally are heartily ashamed of these unseemly exhibitions of passion and spleen; such bilious eruptions, such splenetic explosions, are especially out of place in a hall of justice, and are of a nature to bring the bench into sad disrepute. We are sorry for the gentleman, very sorry for him, and charity also induces pity for the unfortunate victims of his unhappy weakness, and for the public in general, who have to bear with him as best they can when these fits are on him. But people will talk about things, and they do suggest the idea that probably the gentleman has only lapses of sanity, and therefore is not at all times fully accountable for his actions. There does seem to be some ground for this suggestion, and perhaps one of the best things that could be done in the premises would be the institution of a commission to inquire into the gentleman's mental condition. A careful, intelligent, and candid committee of investigation would not be likely to do the gentleman any harm, and it would be likely to conduce to the public welfare, for if he is not at all times in his right mind the public ought to know it. A person *non compos mentis*, if only at times, should not be allowed to occupy any position of great responsibility, as this gentleman does.

However the facts may be as to the perfect and constant sanity of the gentleman, his many intemperate outbursts, as well as the frequent inconsistency of his conduct, have fully convinced the commun-

ity that he is an exceedingly unfit person to occupy the high public position which he holds. He may be perfectly sane, we do not say he is not, though appearances favor another view, or at least throw the disturbing element of doubt and uncertainty upon the question in the public mind. Be this as it may, one thing is generally conceded—that though he may be the right man, yet he is certainly not in the right place. On the contrary, so far as we have been able to learn, the general opinion is that, if he be the right man, his case is one of the most prominent instances, in the whole Union, of "The Right Man in the Wrong Place."

JUDICIAL EBULLITIONS OF BAD TEMPER.

A WASHINGTON paper has the following, concerning a District of Columbia judge, peculiarly given to unseemly outbursts of passion—

"The impeachment of Judge Wylie is unanimously demanded by the Washington bar. If a round Robin is wanted to that effect, it will be signed, we think, by every lawyer, judge, clerk, bailiff and suitor. The one ground on which all will meet is, that Judge Wylie's capricious and petulant temper unfits him for the bench. An eminent lawyer said of him; 'I don't think the omnipotence of God has any limits; but it would puzzle him to make another man so utterly unfit for a judge as Wylie.' Many others say this and go on for quantity."

"If anybody doubt, let him attend the chancery court early. The judge comes in smiling, takes his seat, bows pleasantly to the bar. Evidently he has breakfasted well. Some routine business is disposed of. In an instant, without apparent occasion, the red blood flushes through his ears, nose, face and eyes, and his voice rings angrily through the hall. All proper attention to business ends there for that day. Every lawyer feels he is dealing with a judge suffering under some unaccountable temporary aberration of mind, with one smitten of God and afflicted."

"Judge Wylie never forgets or forgives a lawyer who has been the unfortunate object of one of these ebullitions. Consequently, nine-tenths of the bar feel that he follows them vindictively—an unpleasant consciousness when one is charged with the pecuniary interests of numerous clients. To the other tenth he is annoying by his obtrusive favoritism. His decisions appear to be governed chiefly by these personal considerations. Hence, there is in them little law and no consistency. Among the bar they are proverbs for uncertainty, being as difficult to foretell as the verdict of a petit jury; unless, indeed, you know what lawyers were on the different sides. Then you can always tell. Clients who are able always appeal from his adverse decisions; and he has crushed under foot many a poor man in his petulance towards his advocate."

"On the supreme court bench, Wylie's manner at the beginning of a cause betrays his leaning. If he is unfavorable, his countenance assumes a most scornful look, his nose becoming almost as expressive as his curled lips. We have sometimes thought some bad scent had struck his olfactories about that time, but the truer idea is that he is expressing his contempt by all the grimaces his face is capable of. His picture, taken at that precise moment, would be much stared at in Barlow's window. In counsel with his brethren of the bench he must be a thorn in the flesh."

"All the other judges are courteous and fair-minded, and two of them will compare not unfavorably for ability and legal skill with any judges in the land. But the place of Judge Wylie is on the floor, where his brother members of the bar would soon teach him to keep his temper under control. But give us the investigation. It will be more spicy than the other. We will make it a point to attend and hear the lawyers depose as to the capricious results of this District Jeffrey."

In the foregoing article we have the strictures of a free and independent press on the conduct of a judicial luminary in the District of

Columbia. The proceedings of Wednesday in the Third District Court have a tendency to make one reflect on the animadversions therein contained. If we understood the question asked by counsel correctly, it was not improper, according to accepted and long-established rule of evidence. The question was, for what purposes Miss Conway's house was kept, and the fact of a previous conviction for keeping a house of ill fame was not sought to be proved in this manner. The rule of evidence is—that the fact of a conviction must be proved by the record. This is the rule laid down in *Greenleaf*. But supposing that the fact of a conviction for keeping a house of ill fame had been attempted to be proved in this way, would this justify the court in indulging in so much passion, spleen, and mad stricture? If an improper question is asked by one counsel and objected to by another, the province of the court is simply to overrule or sustain the objection. Further than this, it is highly improper for a court to go, excepting in cases of extraordinary aggravation, and even then it does not enhance the dignity of the court. Indeed we very much incline to the opinion that ebullitions of temper are not only unbecoming, but tend to detract from the dignity of the bench, and to breed contempt in the minds of all fair-minded persons in the community. An over-speaking judge is no well tuned cymbal, and, if we mistake not, in other countries than Utah such conduct would be held up to the scorn it so justly deserves. We invite the attention of our readers to what was said of Judge Wylie—and from the facts let them draw their own inferences.

"THE EMINENT OLD DONKEY."

SUCH is the language in which the *St. Louis Democrat*, of November 23, a republican paper, clothes its conclusions respecting an "amiable old gentleman," who is known by his blue coat, brass buttons, and most benevolent countenance, but who was not sufficiently good-looking to be returned to Congress at the late elections. Here is the passage—

"Old Mr. Poland is losing his memory fast, or the Washington correspondent of the *Chicago Tribune* is a romancer. For instance, a special to the *Tribune* says:

"Judge Poland arrived here today from Arkansas. He steadfastly refuses to let newspaper men draw him into an interview. He says that when he reached St. Louis on his way, he was literally besieged by hungry reporters, with whom all and singular he refused to talk. The next morning, however, he says, they all came out with elaborate reports of pretended interviews had with him, each man putting in the Judge's mouth the sentiments that his reportorial prescience led him to believe the Judge would have uttered had he spoken at all."

"Now this amiable old gentleman seemed quite willing to be interviewed by a reporter of this paper, and at the Lindell Hotel, in the presence of two or more witnesses, gave utterance to the language attributed to him. If the eminent old donkey is ashamed of what he said, he might easily withdraw it without imputing misrepresentation to this or other St. Louis papers."

NAVAJOE DELEGATION TO WASHINGTON.—The following are the names of the Navajoe delegation now on their way to Washington, as they are given in the *Denver Democrat*, from the register of the American House in the last named city—

"W. M. F. Arny, Agent Navajoe Nation; Manuelito, war chief; Cy-a-te-nite, aid; Manuelito Segundo; Juanite Pal-ti-to, wife of Manuelito; Bar-bas Hueros, chief counsellor; Cabra Nagre, aid; Ten-e-su-se, chief; Marianna, second war chief; Narbono Primiro, chief; Canara Muncho, Bueno Clin-ni-ho, Jesus Ahrio-Sonora, Wild Hank and Rocky Mountain Bill, interpreters."

Says the Democrat—

"These Indians are in appearance far superior to any we have seen before. Unlike the Utes they are clean in their habits and neat in their dress. Leggings, either of cloth of their own manufacture or dressed skins, are fashioned so as to fit the lower extremities as tightly as the skin itself. The body is clothed with a hunting shirt. These, with the inevitable blanket, and all adorned with beads, fringes, belts, &c., make up their toilet. The men allow their hair to grow as great a length as it will, which is carefully combed and done up in the shape of a chignon at the back of the head. There is a notable absence of paints and pigments with which Indians so generally besmear their faces. They seemed to be pleased at the attention shown them, and were patient under the vulgar inquisitiveness of the over curious. A large number of ladies were among the visitors, and the beauty of some of them brought forth exclamations of delight from the Indians. Manuelito even went so far as to express his approbation by tapping a lady on the shoulder and exclaiming, 'bueno—bueno!'"

"A PLEASING SPECTACLE."—The *Cincinnati Times* of Nov. 21 says—

"A body of miners going to their work, each armed with a Remington-rifle, is a pleasing spectacle for an enlightened country, as witnessed at Scranton, Penn., yesterday. We noticed that the strikers did not see fit to interfere with them, however. Another example was furnished by a body of Italian laborers on their way to the Cunard docks, in Jersey City, escorted by fifty policemen. Labor unions only hurt their own cause by rendering such resorts necessary. The time is one of the most unwise that they could have selected for strikes, and violence will help them very little."

What with strikes and starvation and violence and bad politics and general hard times, this "land of the free" does not present a very attractive showing to the world just now.

EMIGRATION TO AND FROM.

DURING the present year the unusual spectacle has been presented of a material decrease in the migration of people from the Old World to the New, and a corresponding material increase in the migration from the New World to the Old. The "hard times" in this country are held responsible chiefly for these changes in the streams of migration.

The *New York Shipping List* says—

"We find in a late Liverpool paper that the number of emigrants arrived in the Mersey from the United States and Canada, during the six weeks from the middle of August to the first of October, reached no less than 8168 (of which 625 were from Canada), divided into three classes, as follows: About seven per cent. returned for pleasure, about 23 per cent on business, or to spend the winter in the old homestead, with the intention of again emigrating in the spring; while 70 per cent are disappointed emigrants driven back to the old countries for lack of employment and the low scale of wages, combined with the high price of food and most of the necessities of life."

The Liverpool paper further says—

"So far as the year has gone—and the season is about at its close—there has been a decrease of about one third on the average emigration from Europe to the United States, while the current the other way is tripled."

The *Shipping List* is surprised that this return current should be so strong from the North-Western States, and from the agricultural population, as, though the Eastern farmers have some right to complain, "the West has never yet failed to reward all men who have worked on its golden soil," and "there is not, taking them alto-

gether, a better situated body of men than the agriculturists, or the farming population, of the United States."

The *New York Tribune* says—

"The demand for laborers in this country is at present small and growing less day by day, it being estimated that 70,000 persons in New York city are out of employment. On the other hand there is an extraordinary demand for help in England and Ireland. Letters are being constantly received by persons in this country from their relatives and friends on the other side of the water, and the result has been a large exodus of steerage passengers. During the week which ended on Saturday (Nov. 21) there arrived at Castle Garden 2,216 immigrants, of whom 360 were Menonites on the way from Russia to Dakota. The *City of London*, of the Inman line, which sailed Saturday, carried twenty-six cabin and 300 steerage passengers; the *Ethiopia*, of the Anchor line, twenty cabin and 335 steerage passengers; the *Hohenstaufen*, of the North German Lloyds to Bremen, thirty-eight cabin and 106 steerage passengers, and the *Baltic*, of the White Star line, ninety-one cabin and 325 steerage passengers. Some of the latter are Norwegians and Swedes, who are going home to stay for the winter, but will return in the spring with their numbers recruited. They are chiefly from northern Indiana and Illinois. The present stagnation in business, they say, makes it more profitable for them to go home and stay with their friends during the winter than to spend the time doing nothing here."

The *New York Times* recently talked in the following fashion upon this subject—

"Are foreign workmen wanted at all in the United States? To one large class we say decidedly they are not, and that is the untrained clerks, copyists, and young mercantile men without capital. They are a drug in the American market. If they have capital they can, of course, find openings here. If they have great mercantile experience and skill, they will naturally discover a demand for their services, but no greater than in England. But without money and without skill they must either sink to the bottom or float on every chance tide. Nor is there any specially good opening in this country for foreign professional men. The professions are crowded, and the rewards for talent in them are not so great as in England."

The *Times* goes on to say that at the proper season of the year a skillful farm laborer can find employment and good wages in almost any village in the Western States. But of skilled mechanics, etc., that paper says—

"In regard to mechanics and skilled workmen, it is somewhat difficult to advise. The whole matter of the relation of capital and labor is just now in a very muddled condition. The Unions will undoubtedly make it very unpleasant for any foreign mechanic who does not join them. And yet, if he is in them, he must stand idle for months, and unite in demanding higher wages than the country can afford to pay. If mechanics would consent to a reasonable reduction of wages, there would unquestionably be great revival of work; but in the present condition of things with employers cutting down productions and laborers refusing to work, this country can hardly be pronounced a good place for skilled workmen. Yet this state of things must be brief. The annual growth of the country necessarily employs a vast amount of [mechanical] labor, and there will soon be good openings for experienced mechanics in every direction. We think also that for the present there is an abundant supply of unskilled labor, such as navvies, hod-carriers, common laborers, and the like. There will be fewer railroads built in the next few years than have been for any like period in the past. All improvements are somewhat suspended; fewer buildings are being put up, and there is less demand for unskilled labor. The cities are crowded with it now, and great numbers of people will come upon public charity. The public authorities of Europe should not advise common