

## EDITORIALS.

## STEAD CONVICTED.

THE trial of Mr. Stead, editor of the *Pall Mall Gazette*, London, was concluded on Saturday last, the jury bringing in a verdict of guilty. In his charge to the jury, Justice Lopes said the prisoner had filled his paper with articles of a filthy, disgusting nature, but that was not material; the only question for them to determine being as to whether or not the child Eliza Armstrong was taken from her home against the desire of her father. That was equivalent to saying, "If he did this, no matter what his motives, you will find him guilty."

That charge is a singular feature of a very peculiar case. That such an act as that of the editor's was *per se* wrongful and punishable, cannot be questioned; but if considered at all it should not, in the light of the whole transaction, be by itself, as the mere taking of the girl was only an incident in a proceeding whose object was ulterior and not at all to her harm or disadvantage; in other words, the greater purpose should, it seems to us, put the lesser in the background. The Judge told the jurors that Stead had filled the columns of his paper with vile and obscene matter, but this did not figure in their duties; why, then, did he mention it at all? Was it not for the purpose of creating an influence hostile to the prisoner? It looks like it. And the singling out of a collateral fact and making it the gravamen of the case, gives the whole proceeding the air of an attempt to punish the editor for his exposures, while ostensibly ignoring them.

Stead may have gone too far in his exposition of the corruption and vice prevalent in the larger cities, notably London, and he may have been actuated by mercenary motives; but whether this be the case or not, it is beyond dispute that the shock which he produced was caused by holding up a mirror in which the aristocracy could see not only themselves but those by whom they were surrounded and supported; they saw for a time what a festering sore was devouring the vitals of the body politic, and made haste to visit their displeasure upon the man who placed it before them. If Stead accomplished no good by showing up society as it is, society accomplished nothing by hounding him to conviction, for he will now receive sympathy which otherwise might not have been extended, and men of mental calibre and human instincts will go to thinking about it. One day's calmness of thought upon a leading question, is more to be dreaded by those in authority than a whole month's hurricane of passion.

## DEATH OF McCULLOUGH.

A DISPATCH received to-day from Philadelphia, announces what has been looked for for several months, the death of John McCullough, the actor. He died at his residence in that city at five minutes past one o'clock this afternoon. McCullough's death, although not entirely unexpected, occurred quite suddenly, and was due, as his physician says, to "an affection of the brain, caused by blood poisoning." The doctor asserts that McCullough was not insane as was supposed, and that it was a mistake to have placed him in the asylum, where he was confined for a number of weeks. His failing mental powers were first noticed in the early part of January, 1884, and in April of that year he made a lamentable failure of "Othello" in Washington. After that his ailment manifested itself at various times in loss of memory, the prompter at times being obliged to follow him about the stage. He appeared for the last time in his life on the night of September 29th, 1884, in the character of "Spartacus," in the *Gladiator*, and his condition that night was so bad that the curtain was rung down at the end of the second act. From that time he has gradually grown worse until his death.

McCullough was born in Coleraine, Co. Antrim, Ireland, Nov. 14, 1833, being almost 52 years of age. He came to America in 1846. Nowhere did he achieve greater success or win more admirers than in Salt Lake, where he also had a number of personal friends.

## A SHINING LIGHT.

THE Chicago *Sun* says that "the Mormons come here expecting and intending to remain a separate community, not to become an integral portion of the American people." If this were true, we only need add to it the additional fact that that paper and its coadjutors are rendering all the assistance in their power toward the accomplishment of such a result. It is to be supposed that the "Mormons" come here expecting to be a separate portion of the American people, be-

cause most of them can read and all of them are intelligent, and thus they understand before arrival, before embarking, in fact, that hostile agencies are at work, have been and will continue to be for some time, the object of such hostility being not only the political but social ostracism of the Latter-day Saints in general. It may linger in their minds as a matter of doubt for some time, because of the apparently rebutting facts that this is said to be a country where political and religious freedom finds its chief citadel; that this is the home of the brave and the asylum of the oppressed of all nations; that it is a land where industry prospers and virtue is rewarded; that it is, above all, a nation with a fixed charter in which law-makers find the foundation and limitation of their official power—and then they read that those to whom they would gather are denied the rights which those accused of wrongdoing receive even in the land of their nativity; that offenses are made punishable *ex post facto*; that when laws will not fit charges, they are changed by those who should administer them as they find them until they do fit; that taxation without representation prevails; that honorable husbands and fathers are imprisoned while libertines are at large and even rewarded; that in this part of a republic we have no choice in the selection of those who rule us; and that, in fine, things are not at all what they are advertised as being. Is it much wonder, under such circumstances, that the "Mormons" come here expecting to be part of and remain a separate community, hoping for something better but fearing something worse?

The *Sun* is like others of its class; it would subjugate the settlers and founders of Utah without reference to the means employed. Overwhelm them by law if possible, but if not, change the law, change our customs, change our traditions, change our methods, change everything. Let the watchword pass all along the line, "Anything to beat the Mormons."

## THAT BATTERY CASE.

A RESORT to physical force as a means of settling a dispute is a proceeding to be deprecated; for one sufficient reason, if there were no others, that it places all the chances of the contest on the side of the powerful, right or wrong, and if wrong he gains a victory which amounts to a crime. The fact that inflamed men generally resort to this method of reckoning for old or new scores, makes the argument against it all the stronger, for they are, of all men, least qualified to determine which occupies the better ground morally considered. There are times when human nature, naturally frail enough, gives way under a strong provocation and manifests that vindictiveness which exists to a greater or less extent in all, but which some are more capable of controlling and keeping hidden than others are, and a fight *pugnis et calcibus* or otherwise is the result.

From the standpoint of the NEWS, the affair between the deputy sheriff and deputy marshal on Main Street yesterday afternoon was anything but commendable in the assailant, who has, however, paid the penalty for his transgression and stands "even" with the public as relates to that event. Nor can we find it in our disposition to say anything favorable of the assailed, as would not be the case were he other than he is. That he has before and repeatedly provoked assaults, we are well assured of, and that his conduct as an official has not been characterized with that degree of gentlemanly deportment and due regard for the rights of accused or even convicted persons to which they are entitled, is patent to all who know him; while as a citizen, he is not of the class that good people instinctively admire. Still, he should not have been assaulted; it were better that he be left severely alone.

## THE UTAH COMMISSIONERS' REPORT.

THE report of the Utah Commission, the full text of which will be found elsewhere in to-day's NEWS, is in some places interesting reading, while it is as a whole a peculiar document. Some of its statements are absolutely untrue, for instance, where it says in substance, "some (implying several) who had offered and were willing to recant and join the 'grand army' of promoters, were assaulted and coerced by the Church or its followers, and through fear of ostracism preferred imprisonment to what would otherwise follow." They may claim that this is merely an error of detail, and is of no material consequence, the point sought being established anyway whether they are correct in this or not; but it is an error, all the same, and is not the only one at that. It is an official report, purporting to detail the existing condition of things in Utah, as a basis for the government to proceed upon in making the changes asked for; and as nine-tenths of the population are to be the victims of what is asked for, the

official data should contain no irregularities and no misplaced figures. It is apt to be considered a case of *falsus in uno, falsus in omnibus*—that is, if it is false in one respect, it is liable to be false in others, perhaps in all.

The Commissioners officially inform Secretary Lamar, as chief of the department in which Territorial affairs are taken charge of, that as a result of the practical enforcement of the Edmunds law through their agency and interpretation, not a polygamist's name now appears on the registration lists, nor does a polygamist hold an office, but (such a statement could not conclude without an if or a but somewhere) those who are elected to official positions and those who elect them are *sympathizers* with the disfranchised in their afflictions and subscribe to the doctrine of polygamous marriage as binding upon the conscience, and—greatest evil of them all—they are "Mormons!" It used to be considered the case that laws could only reach overt acts, and that the mechanical contrivances of men known as statutes had no innate power by means of the exercise of which the conscience could be controlled; but the Commissioners are wiser in their generation than all preceding law-makers and law-expositors have been, for, having completely subjugated polygamy at the polls and in the official seats, they now complain that those they could not reach because of having committed no crimes or sins such as the law makes punishable, have still a *belief* as to what is right and what is wrong, and ask in another place that this silent working of the mind be punished by striking off the names from the registry lists of those who thus offered, and disqualifying them from holding office! This they would do by a general disfranchisement of all who are unwilling to swear that they are not "Mormons," or by a complete suspension of the elective machinery, to be followed by a system of appointments to office in the hands of men or departments known to be hostile to the great bulk of the people. Surely Torquemada, in his bloodiest, most vindictive, most infernal mood, never devised any measure of absolute oppression and tyranny going much further than this; he at least observed the organic laws and rules formulated by his adviser-in-chief; and though he exercised the very right, jointly with the Pope, which the Commission would have in force here, of appointing all officers of the realm, he never set his sign manual to a decree of *auto da fe* except where the condemned had violated the great charter previously described, and which was well known to all; when a poor wretch was lashed to the stake and the blazing fagots were heaped around him, Torquemada and his satellites could enjoy the spectacle without qualms of conscience or other trifling annoyance, because the victim had changed his conduct, the law had not changed a particle. But the theory of our would-be rulers is that "Mormonism" must be suppressed through the complete prostration of its adherents; the war against polygamy had all along and still has this objective point in view: but having gone so far as to politically plunder all who practiced the ostensibly offensive doctrine, and finding that there are still enough "Mormons" who do not practice it to out-vote the common enemy and retain charge of the property and control of the treasury, they, too, must go; hence the laws must be changed, the field of the would-be despoilers enlarged, and the strong hand of the government committed in advance to the support of any measure of vandalism or oppression our local petty tyrants may see fit to put in force. That is about what the suggestions and requests of the Utah Commission amount to boiled down and reduced to an essence.

As the report is a very lengthy one, and we have omitted no part of it nor changed a word in its publication previously referred to, we have not sufficient space to comment upon all that it contains. The reader will peruse it, we hope, with care, not prejudging nor setting down aught in malice; if he be impartial, unbiased and justice-loving, his mind will then be very apt to contain all on this subject that we have not herein said.

## CITIZENSHIP DENIED.

JUDGE POWERS, at Provo, on Tuesday, ruled against the application of Niels Hansen to become a citizen of the United States, supporting, or rather attempting to support his position with a long statement of the case somewhat in the nature of an argument, but doubtless intended as a learned and perspicuous ruling. Hansen had stated under oath that it was his *bona fide* intention to renounce the government from which he came and adopt this one instead; he had been in the country the required length of time, was of the proper age, liked our institutions, was a man of good deportment and excellent repute, had violated no law of the United States and did not propose to do so. But these qualifications (all that the law prescribes, by the by) were not sufficient in the estimation of so great an expounder of mission jurisprudence as Judge Powers. He questioned the applicant as to his *belief* on certain things, and the answers not being such as indicated that the person desiring to

be Americanized would fall into line with the programme, he was instantaneously rejected—his actual qualifications and good behavior weighing nothing as against his mere opinions of right and wrong.

Perhaps his honor imagines that an abstract hypothesis is superior to an actual example in the formation of citizenship; if so, he carried out his idea completely—but is he right? The government requires nothing in a general way, but obedience to its laws and a preference for our system of government to that of any other, especially the one about to be renounced, caring but little about what private theories or mental crotchets the applicant may entertain; but Judge Powers goes further and applies a *jury test* to him, claiming that if such person is unfit for jury duty in certain cases, he is an unfit person to be naturalized! This is singular logic and bad law. Service on a jury is always and everywhere a special, not a general, qualification of citizenship; a person may be qualified in all respects for one and not for the other; yet the First District judicial luminary blends them without present statutory authority or previous parallel, and says to a would-be citizen of our common country, "You can't come in, because you are not specially qualified for a particular service which a man may be called upon sooner or later to perform." One would think that that would extend no further than to exclusion from such special duty, not to a denial of all the other privileges to which he is entitled.

Truly, we live in strange times and among strange people.

## MORE OF THE SAME KIND.

"THE Idaho polygamists are coming in for doses of the same unpalatable medicine which has been served out to their brethren in Utah. Eight were convicted of unlawful cohabitation and were given various sentences and fines. Only one promised to obey the law in the future. The heaviest sentence was imposed on a polygamist who attempted to evade the law by secreting his plural wives. He was given a year in the penitentiary in which to reflect on the cunning which overreached itself. How long this stiff-necked Mormon generation will persist in defying the law is only matter of conjecture. If the leaders can bring them to believe that they are martyrs the contest will be long and obstinate."

—S. F. Chronicle.

The *Chronicle* is not noted for accuracy, and if a point can be made on the strong and profitable side, it is sometimes willing to take principle and justice by the throat and throw them overboard together. The statement that "the heaviest sentence was imposed on a polygamist who attempted to evade the law by secreting his plural wives" is of a piece with most of the anti-"Mormon" paragraphs with which that paper and others of its class abound; it sounds like a good point when read by those who know no better, and like most of its kind, would be pertinent if it were not a baseless fabrication, designed by knaves and printed for effect. The facts are that the "heaviest sentence" was not imposed upon the man who had secreted his wives. None of them had secreted anyone or anything; they did not even conceal their faith in a superior Power, and had no concessions to make, no terms to ask. In addition to this, no one of the number (which, including the renegade mentioned by the *Chronicle*, was nine instead of eight) was charged with secreting his wives, and none of them tried or ever have tried to evade the law. They believe (with the dishonorable exception referred to) that they were and are doing right, and if the law punishes them for their belief, they make no complaint, but accept of the inevitable with manly fortitude and quiet submission.

The rest of the above extract, has been substantially replied to so often, that it is not worth while to do so now.

The truth is, that Geo. C. Parkinson, the man whom the lying press dispatcher of this city has reported throughout the country as having secreted his plural wives, is a young man who has but one wife, whom even the prosecuting officers of Idaho never thought of charging with being a polygamist except in point of belief; but he happens to be counselor to the President of the Oneida Stake and is therefore too conspicuous and influential a target for the crusaders of Idaho to resist the temptation of hitting. The accusation against him was that a man charged with cohabiting with his wives, who was being chased by the deputy marshals, ran through his store and found refuge in the cellar, but there was no shadow of proof that he had secreted him. He is a victim of the anti-"Mormon" hatred that now reigns almost supreme in Idaho.

## REVIEW OF THE UTAH COMMISSIONERS' REPORT.

THE Utah Commissioners' report, being a lengthy document, could not be fully reviewed in one brief article. We shall therefore devote a little more space to a consideration of its contents.

The gentlemen who have been provided with the snug little position and comfortable salary of Commissioners under the Edmunds law, appear to be

under the impression that they are specially authorized and empowered to accomplish the full objects of the act, namely to suppress and extinguish polygamy in the Territory of Utah. This is evident from their present and former reports to the Secretary of the Interior, which embody not only accounts of their official doings, but speculations as to the increase or decrease of plural marriages in this Territory, disquisitions on its political status, judicial opinions as to the validity of local laws and the meaning of United States enactments, and recommendations to Congress as to future legislation.

That these gentlemen have greatly misunderstood the functions of their office or are abundantly endowed with that quality not uncommon in office-holders and vulgarly called "cheek," is made very clear by a careful perusal of the law creating their office and defining its duties. The ninth section of the Edmunds Act is the only portion of that law or any other law which relates to them. They have no other authority but that which is conferred by and in that single section. And what does it amount to? They are authorized to appoint all the registration and election officers in the Territory, and in the case of persons elected to the Legislative Assembly give certificates to those who appear to have been duly elected. Just that, and nothing more. Stay, there is something more, they are authorized to have a secretary and to draw their salaries.

This can be understood by any one who reads the Edmunds law, and it has been officially stated by no less an authority than the Supreme Court of the United States. In the cases against the Utah Commission, appealed to the court of last resort, that judicial body unanimously declared that "the statutory powers of the board are limited," just as we have here described. And the oath which the Commissioners prescribed and other of their extra-official doings were declared void and without effect. Yet the Commissioners quite jauntingly refer to this Supreme Court decision, carefully avoiding, however, any reference to this part of the ruling.

The report of the Utah Commissioners, then, except that part which relates to the registration and election officers, lists, etc., is unofficial and intrusive. They complain that former suggestions of theirs have "not yet received the attention of Congress." What right have they to expect that any notice whatever should be taken of their unsolicited and unauthorized reports and recommendations?

If "the name of a polygamist cannot now be found upon the registration lists and none of this class are holding office," as stated by the Commissioners, and we presume the truth of that statement will not be questioned, why are they not content? Why attempt to enter into matters that do not belong to their office, and indulge in assertions which they have no means of proving? They pretend to name the actual number of plural marriages that were solemnized in 1884, and to give particulars concerning those in 1885. But they know no more about the facts in the case than the honorable Secretary to whom they report, and no other five men in Utah or elsewhere are possessed of that information. As Lord Dundreary would say, "It is one of those things that a fellow can never find out."

Not less speculative and misleading is the attempt of the Commissioners to make it appear that an "internal agitation" and "incipient contest" is going on within the "Mormon" Church, because a few of those individuals who have been prosecuted for unlawful cohabitation with their wives have promised to obey man rather than God. That every person put to the test is not able to "endure unto the end" is not at all surprising. But that this argues an "incipient contest" in the Church is very poor and shallow reasoning. The truth is, that the extreme measures which the Commissioners seem so much to approve have had the very contrary effect to that intended. And this is only natural. Attempt to force people to renounce anything which they believe to be divine, and they will only be confirmed in their faith and become more united in its defense. And this is the feeling that has been aroused in the bosoms of the Latter-day Saints, who have been taught to expect the unreasonable and unconstitutional measures hurled against a principle of their religion which, as the Commissioners themselves admitted in their previous report, is "as much an article of their faith as baptism for the remission of sins."

The statement, that "threats of ostracism" have been freely indulged in by the leaders of the Church toward all who declare their intention to obey the laws, and the allusion to "their persecution of those of their own number who have signified their desire to obey the laws," can only be designated as wilful and barefaced falsehoods. This may be considered strong language to be used in reference to United States Commissioners. But it is not as strong as is warranted by the circumstances. The leaders of the Church have indulged in no such threats; neither has any person been persecuted who has weakened in the presence of legal jeopardy. We challenge the Commissioners to point out a single authorized threat or a single case of such persecution. The individuals who have chosen to make promises concerning their future course have not been molested in any way whatever. They have not been threatened, either with "ostracism" or any other