

It appears that Judge Zane and the Supreme Court of the United States differ in their decisions on this point. And as the way seems to be blocked at present to make the rulings of the higher court of due effect on the Utah tribunals, the unfortunate victims to judicial absurdities and distortions will have to bear their fate as best they may until a remedy can be obtained.

The last clause in the paragraph given as Judge Zane's interpretation of the law, is as fallacious as those that precede it. If the belief of individuals, who may be grossly prejudiced, as to a man's conduct is to be taken as conclusive evidence of his violation of law, what security has any person, however innocent, against conviction and punishment? It is a monstrous and ridiculous doctrine. It puts impressions and opinions in the place of proof. But it is the kind of justice that has been served up in Federal courts in this Territory. It is Dogberry law and what is known in rural England as "Justice's justice."

It may be placed on a par with the rulings which triplicated penalties that the law made single, and injected legislation into judicial decisions. Judge Zane has made some of the most contradictory definitions of "unlawful cohabitation" that are possible to sophistry and verbal jugglery, and such as are entirely novel in the history of criminal jurisprudence. To place them side by side without comment would be enough to excite the risibility of the most sedate. They would act in the place of a farce were their effects not so tragical. They are something more than laughable only because they are a blast upon happy homes, a scourge to men who try in honor to observe a cruel and stringent law, and a snare to the unwary and simple-minded. And they remain as of force and effect, simply because every possible means that can be devised are placed in the way to prevent revision by a competent tribunal. Many of his decisions are sufficiently erroneous, but when they are explained in his peculiar style of reasoning, they provoke as much hilarity as astonishment and disgust.

THE ATTEMPT ON THE CZAR.

It is now placed beyond question that the life of the Czar of all the Russias was attempted by Nihilist conspirators on Saturday last. It was a day of inexpressible sadness for the Emperor. It was the anniversary of the slaughter, after the same manner as the plotters sought to dispose of him, of his father, the late Emperor Alexander. He was on his way to church to take part in or to be present at ceremonies commemorative of that horrible event.

It is no wonder that the head of the Russian despotism wept when he learned of the danger to which he had been exposed. His feelings which thus found a natural outlet and expression were not unlikely superinduced altogether by the terror of the circumstance of Saturday. It was doubtless but the exciting cause of his emotion. The full force of the fact must have rushed upon him that there are among those over whom he rules a deep and implacable hatred, allied to an unalterable determination, to annihilate the despotism of which he is the head and front. This desperate revolutionary element is swelling in numbers, and through this and other disintegrating elements the demolition of the Empire is but a question of time.

The incident which came so near culminating in a tragedy leads the reflecting mind to scan the condition of the world at large when such developments are more or less common. Their frequency may be noted by a review of events during the last few years. There have been many such attempts upon the crowned heads of the nations and lesser lights of different governments. They indicate that the elements which will some day produce an eruption in the social and political world are moving toward that point. They bespeak a time when all things on earth will be "in commotion," and when thrones will totter and crash in chaotic confusion. Our local interests are so important and undergoing so many changes, that we can hardly afford time to glance outward upon the world and grasp the general situation. But it is essential in order to keep pace in comprehension with the rapid march of events.

It is not improbable that the attempt upon the life of the Czar may have an effect upon the war prospect in Europe. It is not an unusual policy for governments to adopt to engage in war abroad in order to prevent—by distracting popular attention—revolution at home.

THE DESTROYER AT WORK.

The history of accidents involving the loss of life and property in civilized communities during the past half a year, might properly be termed a chapter of horrors, to which the railroads have been in one sense the principal contributors. In no corresponding period of time that we remember of, and this covers nearly if not all the time within which travel has been accomplished by means of steam, has there been anything remotely approaching the period we speak of in

disasters which presented such ghastly lists of dead, dying and wounded and in such horrible forms. The latest—would that we might say the last—of these rapidly increasing holocausts was that on the Boston & Providence Railroad, in Massachusetts, on Monday. It seems that so far no satisfactory conclusion as to the cause of the disaster has been reached; but the fact that a large iron girder near the centre of the bridge which went down was found cleft in two indicates structural weakness, as to that; while another theory is that from some unexplained cause one of the cars became derailed at that point and dropped upon the timbers with such force as to have broken anything that was not absolutely invulnerable, the break thus resulting destroying the entire bridge and precipitating most of the cars into a chaotic mass of ruins below. However that may be, there is no question or division of opinion regarding one point—that the loss of the train and the bridge are not so much as a pin's fee in comparison with the deadly loss accompanying them. If it had been that an equal number of persons died, or had even been killed, at that time and place or any other, we might have been less impressed with the circumstance, grave enough though it would have been then; but the manner in which the forty persons were hurled to destruction and the details attending their taking off, to say nothing of 114 others badly injured, combine to produce an impression which repetition of and therefore familiarity with may make less startling but cannot diminish with those who have humane instincts.

The railroads are the most prolific destroyers in point of frequency of occurrences of late, but the earthquakes excel them in the matter of greater total destruction. Perhaps the former have not, all told, killed as many people in two decades past as the great physical disturbances in southern France did in a few minutes less than a month ago. The total figures will probably never be given, but the estimate printed in these columns a day or two after the first shock was perhaps as near to the fact as we will ever get; this placed the loss at 5,000 souls. The loss of property, immediate and consequential, was also tremendous and beyond the range of even fair conjecture. In either of the cases, the last hour for the victims has invariably come at a time when they were least prepared for it, when they were, in fact, thinking of anything else; in some if not most instances, safety was the prevailing feature of the time, and then, without warrant, summons or trial, the judgment came.

AN UNSEEMLY SCENE.

THERE was what we deem a most flagrant exhibition of wrath and unreasoning prejudice in the Third District Court this morning. An idea of the character of the spectacle can be formed by a perusal of a brief account of the occurrence in our local columns.

The question before the court was the continuance of a mining suit. It was incidentally mentioned that Mr. George A. Mearns was a witness in the case. This brought down upon that gentleman's devoted head the thunderbolts of the wrath of Judge Zane. He offered him a gratuitous insult, declaring that he would not believe him under oath, and that he would not bear a case in which Mr. Mearns was a witness.

Thus, from the bench, an inconsiderate and ill-tempered Judge offered a personal affront under cover of his official position and advanced years that he probably never would think of being guilty of except under such circumstances, it is so easy to throw mud at an enemy from behind a barricade while he is in the open.

Such exhibitions are unseemly and humiliating from mortals in the most ordinary walks of life, but when they come from professed administrators of the law they are inexcusable and tend to bring the bench into contempt.

It is interesting to note the cause of the passionate explosion. It had reached the ears of this honor that Mr. Mearns had said some hard things about the court and some of its officers. As to whether he had made the statements however, the judge had no knowledge according to his own admission. He had been informed he had, and his wrath was therefore the result of rumor. He considered this, without any personal acquaintance with Mr. Mearns, as sufficient ground to denounce him as guilty of falsehood and misrepresentation. He had heard one side of the story and that, in Mr. Zane's estimation was sufficient ground upon which to base a judgment and justify a condemnation of the gentleman in question.

The manifestation of the violence of the Judge's temper may be explained on the ground of the particular parties against whom the alleged aspersions of Mr. Mearns were cast—the court and some of its officers. It appears to a person up a tree and looking down on a quarrel in which he is not a party, that if the Judge was aware of certain accusations having been made in which he was one of the parties inadvertently upon, he should court an investigation. This would be much more consistent than to fly into a blinding rage and abuse and vilify the person alleged to have made the

objectionable statements. It seems, however, that investigation, full and complete, is just what some people object to. What is vulgarly termed bulldozing seems to suit their purpose much better.

"WHAT A DREADFUL LIAR!"

THE above elegant exclamation forms the headline to an editorial in this morning's Tribune. If the writer were soliloquizing, or speaking of the sheet in which it appears, we know of no language that would be more appropriate. But if it is intended to apply in another direction, the probability is that, coming from such a source, it is but a mad and vulgar attempt to cover up his own duplicity. And the correctness of this will be seen when the drift and language of the article are exposed.

The Tribune has been trying to incite litigation to compel the present incumbents of local offices in this Territory to take the oath of affirmation, required by the new law of voters and officeholders. We showed that this provision as regards office-holders only applies to the future, and in support of our position quoted from the Act of Congress. Now the angry and defeated stirrer up of strife comes back in this way: Speaking of the DESERET NEWS, it says:

"Referring to the article in yesterday morning's Tribune showing that all officials in this Territory are required to take the oath in the new law, it protests that they mustn't do anything of the kind; that the oath is a condition precedent to entering upon the duties of office. It quotes the words as if they were the words of the law, which is an attempt to mislead."

Pretending to quote the law but omitting that portion which directly relates to the point in dispute, the Tribune says further:

"It distinctly avoids making the oath a condition precedent to entering upon office, but says none shall hold any office without taking the oath."

A sufficient answer to these wilful falsehoods and this charge that we attempted to "mislead," will be found in the following, which is the exact language of the Act of Congress, as anyone may see by reference to Section Twenty-four:

"As a condition precedent to the right to hold office in or under said Territory, the officer, before entering on the duties of his office, shall take and subscribe an oath or affirmation."

Then follows the substance of the oath to be taken. The words we have placed in italics are those which the shameless maligner says the law "distinctly avoids" using. "It will be seen that the purpose of the law is to have the oath taken by such officer 'before entering upon the duties of his office.' It is well known that after entering upon their duties, no new qualification can be demanded of office-holders during their terms."

The object of the malicious gang that the Tribune speaks for is to annoy and obstruct, because they cannot oust, the people's elected officers. It concludes its rabid harangue by exclaiming:

"Force all the officers to take the oath!"

That is easier said than done. Who is eager to waste time and money in this impotent kind of forcing process? He will have his labor for his pains. No office-holder need be under any apprehensions of trouble on this score. It is but the vain mouthing of a low-bred cur that cannot bear defeat with any degree of equanimity. In the light of the law, does not the palpable falsehood of the Tribune scribe brand his brow with the line which he has put at the head of his mendacious article?

HENRY WARD BEECHER.

THE recent sudden death of this distinguished divine has been a fruitful source of comment among journalists all over the land. He was a man who has been pre-eminently conspicuous for many years, hence the universal anxiety of the press to supply the very evident demand of the public for the fullest details of his sudden and unexpected demise. In this connection some of the metropolitan journals are casting about for some one to blame for it, and, as usual in such cases, the doctors came in for their full share of the responsibility. It is claimed that they were too dilatory in resorting to the proper remedies in time to save his life that the apopleptic attack in his case was far from being so sudden and deadly in its nature as that which carried off Mr. Vanderbilt, which was so rapid in its encroachment on the citadel of life that the attendant physicians were practically powerless to aid him from the outset. It is said that the circulation in Mr. Beecher's brain was wrong for at least twenty-four hours before the malady, yet no effective steps, so far as known, were taken to avert the fatal end. An evening or two before he was attacked by the fatal stroke he ate what, it appears, is called a "light supper" of six roasted clams. A heavy dinner would

he safer. He had a night of indigestion and vomited heavily toward morning. The effort made in vomiting caused the first trouble with his brain, and he appears to have slept all that day. In that period, it is contended, there was hope for some remedy, but it seems nothing was done, and so the papers think they have good cause to criticize his physicians.

THE REAL "UTAH QUESTION."

NOTHING that has occurred in connection with the religio-political crusade against the "Mormons," has disturbed the attacking party so much as the rebuff it has met in the recent "emasculated" legislation. The money spent in Washington, extracted from the half-dollar dupes, has gone for next to nothing, the buzzing of the two B's being a poor offset to the cash squandered in the luxurious support at the national capital. The milk in the legislative cocoanut was the oath provided for in Section Twenty-four. And that has turned sour on their stomachs. As many "Mormons" can take it, they have no use for it. Some of the L. Ls. declare they will have nothing to do with it, and denounce it as a fraud. They say in print through their organ:

"The fraud is all on the Liberals, because they have asked and demanded legislation to accomplish results in this Territory, which Congress has attempted to give, but if the Mormons take the oath, the legislation given is a failure."

"It must certainly be clear to anyone, that if the Mormons take this oath they will remain in power, and if the Liberals join them, we will be simply dancing at our own funeral."

Now what are the "results" which these "Liberals" expected to achieve, but which have only proved a "failure" because the "Mormons" take the oath? Hear what the Democratic faction of the squabbling L. Ls. have to say through their little penny trumpet:

"There is but one way to effect the political redemption of Utah. It is by overthrowing the power of the Church and State party. This can only be done by removing the representatives of that party from the local offices. Any scheme, measure or legislation not effecting that purpose amounts to nothing. When anything which merely annoys the Mormon people without accomplishing the above named purpose is done, there is no use in saying that it is a step in the right direction."

The wrath and indignation of these plotters against the majority of the people of Utah, about a measure supposed to have been enacted at their own suggestion, should be proof enough to the country what was their real design. Congressmen who voted for the Utah bill imagined they were doing something for the suppression of polygamy. Editors who commended the scheme, while they expressed doubts as to its constitutionality, supported it with the same understanding. So with the majority of the public who paid any attention to the matter. The polygamy cry was raised by the rascals who are now cursing the law, because they knew that would take with the populace and with Congress. But all the time what they were after was the control of the local offices in Utah. The suppression of polygamy was not in their thoughts, except as a blind to their purpose. If such a thing were possible, they would view it with even worse disgust than they express at the new law. They want the Territory, and particularly its treasury and, as they admit, "Any scheme, measure or legislation not effecting that amounts to nothing."

Let this be clearly understood by the press and the national legislators. It is what we have told them, many times. In supporting what purports to be legislation against polygamy, they merely play into the hands of a set of robbers and political tricksters scheming for place and plunder. Pretending to desire the "Mormons" to "come within the laws," and declaring to the world that this is all they are working for, just as soon as numbers of the "Mormons" make the agreement which is demanded of them, those professed advocates of law and loyalty are ready to tear themselves in pieces, and like a pack of snarling wolves are turning upon each other in deadly rage and antagonism over the result.

Senator Edmunds was their patron saint when he was supposed to be moving in the line of their purpose. Now he is no longer "Saint Jerome" but an "obstructionist." They say:

"He might as well or better be a thousand miles away. He is sorry for our hunger, but when we ask for bread he gives us a stone."

What are they "hungry" for? Office. What "bread" do they demand? Official loaves and fishes? Why did they not say so, honestly, instead of pretending that all they wanted was to "suppress polygamy" and to "bring the Mormons within the laws?" Senator Edmunds, like some other public men, is fanatical on the polygamy question. He has been deceived by these hungry office seeking hypocrites and imagined he was giving them what they wanted. Now they say:

"He is common with so many is ignorant of the real situation here."

Correct. But only a few weeks ago he was "the best informed man in Congress on the Utah situation and what is needed." What is the matter? Why, Edmunds does not work directly into the scheme for the spoliation of Utah, and, as they lament:

"He is winning the Mormons shall be elected by smaller majorities than heretofore, but will not agree that they shall be removed from office by the only means they can be."

We have done our best to make the fact plain to the country that the outcry against polygamy was one of the greatest humbugs of the times. The howls of the creatures who have kept it up for a purpose, now demonstrate the truth of our repeated statement. A small and unprincipled minority are, and have been, plotting to rule over and plunder the great majority of the citizens of a flourishing and promising Territory, and that is the Utah question, stripped of the thin disguise that has been thrown around it to deceive the public. Let true republican and democratic principles prevail; let local self-government have free course in this industrious and peace-loving community; and those domestic affairs which, after all, only concern the people where they exist, but which have been magnified into national importance and absurd proportions, will soon settle themselves and cease to be a trouble either to Congress or the country.

TAKE THE OATH.

THE new law does not specially require the present office-holders to take the test oath. If it did, the requirement would be still unlawful, because it has been decided by the highest judicial authority, that no new qualifications may be required of persons in office during the terms of that office. But it has been developed that a plot is on foot to cause considerable trouble to office-holders. In order to avoid litigation, the Salt Lake City and County officials have taken the oath, and it will very likely save expense and needless strife if other office-holders throughout the Territory follow their example. A word to the wise should be enough.

THE JUDGE AS A JOKER.

THE debut of Judge Zane in the role of humorist is startling. He has been guilty of a good many things to which we have had occasion to take exception, but that he should perpetrate a joke and hurl it at the head of Henry Grow, was not to be expected.

The judicial absurdity was committed for the purpose of spicing up his theory that the verdict of the jury in the case of unlawful cohabitation against the gentleman named was well grounded because of certain inferences that he held to be based upon two conditions, viz: The attractiveness of the plural wife of the defendant and the proclivities of some old gentlemen.

Was the Judge speaking feelingly when he flung at Mr. Grow this casual insinuation? He is somewhat in the sear and yellow leaf himself. Is it not pertinent to ask whether the Judge, in getting off that ponderous joke, was attempting to stuff Mr. Grow into his own peck measure?

Judge Zane can afford to joke while performing his official functions. Should it ever transpire, however, that the tables should be turned, and he be the victim at which such judicial humor is hurled, it would, doubtless, have a grim and sickly aspect for him. Such a change is not among the impossibilities, for among his victims have been men of whom he is, in our opinion, far from being the peer in integrity to principle and conscience.

Judge Zane's humor is not tinged with the sympathetic vein which constitutes the chief attraction of the genial article, but it is an anomaly to witness a scintillation of it of any quality from one believed to be almost totally devoid of magnanimity, being, according to appearances, only second in the lack of that noble trait, to the legal autocrat to whom he has, during the whole anti-"Mormon" crusade, played second fiddle. It is not probable, however, that the judicial joke of last Tuesday was a Dickinsonian formation. It was evidently quarried out of the hard-pan of Judge Zane's peculiar mental composition after an amount of exertion entirely out of proportion with the quality of the product.

DEATHS.

FOWLER.—At Hennefer, Summit Co., Utah, March 9, 1887, Rachel, wife of James Fowler, and daughter of Thomas and Esther Lythgoe, of disease of the spinal column and brain, born at Pendlebury, near Manchester, England. She leaves a husband and seven children to mourn her loss. She was well respected by all who knew her, and quite a gloom was cast over our little town by her sudden and unexpected demise. She was baptized, when eight years old, and died in full faith of the Gospel.—[Cont.]