

## EDITORIALS.

## IT CANNOT SUCCEED.

The latest judicial ruling in regard to the chameleon offense called unlawful cohabitation, which has changed color and character in the Utah judicial mind with far greater variety than the shifting tints of the creature famed in fable, was delivered on Wednesday in the Higgins case. Judge Zane is reported as stating that not only is sexual intercourse not a necessary element of the offense, but that if a man has a legal wife, and associates with or recognizes a plural wife, even though he does not live with her, he is guilty of unlawful cohabitation, and that if the circumstances of the association bear a semblance of its being in the marriage relation, a verdict of guilty must be found.

A man can now be convicted on the evidence of common reputation, and on the semblance of an offense. There is little need for juries. They might as well be dispensed with in prosecutions under the Edmunds Act. The charge is sufficient, if rumors can be substantiated that a man has a plural wife; and if the circumstances bear a semblance that the accused associates with a woman as a plural wife, he need not expect to escape the penalties of the court. We were about to say the penalties of the law. But the law provides for no penalties in such cases, neither for the multiplied terms of imprisonment which judicial legislation has imposed upon a number of our brethren.

The crime in the eyes of the Prosecutor and the courts, is not the actual cohabitation that the law comprehends, but the recognition of a woman as a plural wife. In other words the status of polygamy, which the Supreme Court of the United States has declared not to be criminal, is made the real offense to be punished with all the severity that grand juries can be induced to exhibit in their verdicts.

The object is to make the "Mormons" renounce, disown and repudiate the relationships that they have formed under eternal religious covenants. Morality does not figure in the proceedings. It is a crusade against a creed. It will not succeed. It is not likely to do so and it ought not to do so. It is wrong in principle and will be found impossible in practice. Time will show that we are right in these assertions.

## GOING BEYOND THE LAW.

To-day we present, from the columns of the New York Sun, a racy article upon the action of the emigration commissioners in detaining "Mormon" emigrants. It is well written and draws a vivid picture of the circumstances attending the absurd transaction. The officials, as the News showed at the time, in their anti-"Mormon" zeal, pushed to extremes by bigots, leaped the barrier prescribed by law. They undertook to meddle with matters that the legislature had not touched, introducing religion, and presumptively morality as qualifications to be considered in determining whether an emigrant shall be permitted to land upon the free soil of America.

While the temporary imprisonment on Ward Island was a source of great annoyance to the victims, it affords no small satisfaction that those to whose care they were committed shared largely in the perplexity. This is not stated for the reason that we are gratified purely and simply because annoyance has been caused to any class of people whatever. It is the probable results that are likely to accrue from it that produces the gratification. The quandary in which the Ward Island folks were placed in will be likely to induce them to kick against the creation of any future contingencies of the same sort. Indeed, the Commissioners themselves will not hanker after any more jobs of that character.

We have already stated that the Commissioners, in the absence of law, jumped the legal boundary. They thus usurped the prerogative of the legislature. This is not uncommon in the makers of anti-"Mormon" onslaughts. This truth has its local illustration. Soon after the inauguration of the vindictive crusade now in progress in the courts here, Chief Justice Zane bemoaned, on the bench, the paucity of the punishment for unlawful cohabitation. He understood then, as we believe he does now, that the Edmunds act only authorized the infliction of six months imprisonment and a fine of three hundred dollars as the maximum penalty. Mr. Dickson, with whose suggestions and recommendations he shows a phenomenal unanimity, came to the Judge's relief by furnishing the segregating system, by which it is made optional with the Courts whether a defendant be sent to prison for six months or for life. By this process the need of a legislative body—national or otherwise—is practically dispensed with. The Dickson and Zane combination, by a species of judicial hocus pocus, manages to represent both wings of the government—legislative

and judicial. It looks as if the emigration commissioners had taken a draught at the same usurpatory fountain.

## "CONSTITUTIONAL" MEANS OF DESTRUCTION.

FOLLOWING are the closing words of the platform of the Republicans of Montana, adopted a few days ago:

"But if the peaceful means of legislation shall prove to be inadequate for its extinction—then we favor its extirpation by the strongest power at the command of the government under the Constitution—MILITARY LAW."

The thing which the Republicans of Montana are so anxious to "extinguish" and "extirpate" is the "Mormon Church" in Utah. And they want this done by the "constitutional" means of "military law." What school boy who has ever read the Constitution, does not know that the "extirpation" of a non-militant, a non-combatant community by "military law" cannot possibly be sanctioned under that instrument? To link the word "constitutional" with the phrase "military law" in such a connection, is to commit a shocking outrage upon common sense as well as upon justice, and the basic principles of this government.

Some of Senator Edmunds' followers in the crusade upon the "Mormons" are more censurable and less candid than he, for, when reminded how unconstitutional were some features of the anti-"Mormon" legislation proposed in Congress by him, he had the decency not to pretend any belief that they were constitutional. He simply declared that, for twenty years there had been no Constitution of the United States except the will of the people.

When the Republican party ceases to pretend that the various measures it has enacted and proposed for the "extinction" and "extirpation" of the "Mormon" people are at all within the spirit, meaning or letter of the Constitution, it will relieve itself of the guilt of hypocrisy. The clause quoted above is so flagrantly hypocritical in its pretended regard for the organic law of the nation, as to disgust, at the first glance, the candid reader.

## POLITICS IN IDAHO.

THE political contest in Idaho promises to be of more than ordinary interest this year. It centres on the election of Delegates to Congress. If the Democratic candidate obtains the victory, in all probability there will be a fair Democratic majority in the Legislature and in the county offices. The general election in Idaho occurs at the same time as the Delegate election. There is no doubt among those who are informed upon the situation that our northern neighbor shelters a considerable majority of Democrats. It is beyond question that the temporary control which was gained by the Republicans was brought about through fraud of the most unblushing character. The Territory belongs by big odds to the Democracy.

Of the two candidates for the Delegation—John Bailey and Fred Dubois—the former certainly possesses by far the strongest claims to the suffrages of the people. He is a bona fide resident of the Territory, identified with its interests and enterprises, a man of settled habits and sound honesty, one who has been tried and tested and found worthy and capable, and the representative of the party that counts the greatest number of votes. But that is a party that has become noted for its blunders. Were it not for the folly of its own members, the Democratic party of Idaho would, after the next election, control most of the offices throughout the Territory, as well as send its own nominee to the National capital for another Congressional term.

Dubois, the Republican candidate, is the antipodes of Bailey. An adventurer who is in the Territory solely for personal political advantage, unscrupulous, untied except as a bounder of honest men, an artful dodger, one who has proven his duplicity and shameless intrigue in the manufacture of imaginary conventions and the appointment of bogus delegates, he is spending freely the money he has made as a fee-fleeced, to buy his way where he cannot make it fairly, and has staked his all on the hazard of this die. His opportunity is the instability and cowardice of many of his opponents. He is taking advantage of it to the full extent of his ability. He is srewed and astute, and knows how to work on the weakness of men. He has been heard to say that all he needs to make the Democrats weaken, is to shake the "Mormon" question in their faces and they flop like a set of frightened women.

But for the senility displayed by the many Democrats on this question there would be no doubt as to the pre-eminence of their party in Idaho. A little stamina on their part would have prevented the passage of the infamous test oath act, which no Democrat can deny is utterly at variance with sound democratic principles. It was framed to disfranchise a class of citizens upon whom the law could not lay its finger. It was concocted by Republican schemers to cripple their political op-

ponents. The "Mormon" hobgoblin was raised to scare the Democrats into line, and they wilted at a critical moment. The result is that the Democratic vote in Southern Idaho is rendered doubtful in the extreme and the party is in great jeopardy.

To cap the climax of folly, the "Mormon" delegates were excluded from the Democratic Convention, and the support of a large number of adherents of the party is rendered extremely doubtful. True, it is understood that treachery was at the bottom of the movement. Professing Democrats who had flirted with the Republicans, cohabited unlawfully with Dubois, and were currently suspected of carrying coin from him in their pockets, manipulated the split in the Democratic Convention which resulted in the rejection of the "Mormon" delegates. But the true Democracy should have seen to it that none but real representatives of the party were sent to the convention, and the party should have had the courage to stand by its principles and defend its adherents, no matter what may be their religious views or church connections. And if defeat comes to the Idaho Democracy in November, it will be the result of this lack of manhood and stability, coupled with the treachery of Democrats sold out to the Republicans in the interest of Dubois.

We learn that the people whose legally elected delegates were rejected at the Democratic Convention at Bellevue, are organizing into an Independent Party. This, it appears to us, is a proper step to take. No matter what may be the result of the appeal to the courts on the validity of the test oath act, they have every reason to prompt them to combine for self-protection and agitation to obtain their political rights and influence. Justice lives, though it may appear to be asleep, and the "Mormon" people of Southern Idaho, who have broken no law, are entitled to the rights of citizens in common with people of other denominations. If the Democratic party shall lose their support it will simply serve the party right. But whatever course our friends in Idaho may take in the future, they will undoubtedly cleave to the political principles which have heretofore claimed their fealty. The Constitution will be their guide and universal freedom their object. Local self-government, civil and religious liberty, an honest and economical administration of public affairs, and a proper representation in every department of the government will be their demand. And to effect these ends their organization will be a potent aid. It should be made thorough and complete.

Whenever anything has been said on these subjects in this quarter, the cry has been raised that Utah is trying to interfere with Idaho politics and that the "Mormon" Church is dictating Idaho affairs. This is one of the Republican dodges to scare soft-pated and lumber-backed Democrats. There has never been any substantial foundation to the alarm. We are interested in the political condition of our friends in every part of the Union. But they are left free to manage their own concerns in their own way. Still we feel free to give such advice as seems wise to us, and they are at liberty to follow it if they choose. And they who take exceptions to it or are scared at the comments made upon it, may raise all the noise about it they please, it will make no difference to us. But it is laughable to notice the frantic efforts of the Republican sheet in this city to whitewash the Republican candidate in Idaho, and whoop up that support for him from so-called Democrats as well as Republicans, which he so sadly needs. Talk about interference of Utah with Idaho politics, read the sickly and servile Dubois articles in the daily Salt Lake Standard, and then never mention "Mormon" interference more!

The great hope of Dubois and his supporters is that, in consequence of the howl about the "Mormons" and the alleged "affiliation" of "Honest John Bailey" and other leading Democrats with the "Mormon" people, a split will be made among the Democrats, and, in hopes of preferment if Dubois is elected, some of them will be induced to support him as an anti-"Mormon" candidate. It may be that this scheme will succeed. But if so, the traitors to their party should be exposed and denounced and ignominiously expelled from the party they so villainously betray.

Short-sighted and shallow men act only for the present. The wise will act and plan for the future. Many things that are now wrong side up will yet be righted. And the time will come when traitors will have their just deserts. And those who stand unfaithfully by the right will gain their reward. The proper course for the Democracy of Idaho to take is to sustain and vindicate Democratic principles in the face of all opposition. In doing that they will conquer, in forsaking that path they deserve to fail.

## THE WAY 'TIS DONE.

THE Atchison Globe says the population of Kansas City is largely composed of "plugs in luck. Men who went there a few years ago as butchers and laborers are now wearing diamonds and white shirts, by reason of small investments in real estate." If those who thus gain wealth, after knowing nothing but hard work and indigent circumstances all their pre-

vions lives, will then only turn around and abuse the founders of the city, show them wherein their settlement of it was a crime and how much bigger and better it might have been if the "plugs" had been permitted to run it all along; if they will only point out to visitors sundry defects here and there, elaborating upon the growth of such things and demanding aid in suppressing them, and say nothing of the good that has been accomplished; then they will use their luck to a good purpose. There is but one proper way to deal with the community which provides the nondescript adventurer with a harbor for the time being, and in which the opportunities presented are such that he drifts into a fortune, and that is to see in everything that was before he came naught but iniquity and crime, to see nothing evil or bad in anything he may aid in establishing, to live only for himself and his kind, and studiously endeavor to shackle the hands which carved out his path to independence. He might further emblazon his avenue to greatness by occasionally, in the prints, in the courts and in the streets, blackguarding, reviling and insulting the wives and children of those who made it possible for him to be what he is; and when there is nothing better handy than "thieves" and "villains" lexicon of any of the great cities can be brought into requisition to assist in the grand work of defamation and defeat. Oh, it's a fine project, and one worthy of its promoters. It is so dignified, so manly, so ennobling; it requires the greatest amount of genius, the keenest perception, and the finest executive ability—just such genius, perception and ability as the inventor of such business was possessed of when he devised the scheme of saving sinners in their sin.

The "plugs" ought to be in luck. They favor themselves and nobody opposes them. But when, after all their spoliation and misrepresentation they stand—as they will soon have to—on the threshold of futurity, and contemplate its (to them) uncertainties, as they think of the wrongs they have done and the chances they have missed, will not their lips turn pale and their teeth chatter? And do they suppose they can play the same game Over There?

## FAILURES IN JOURNALISM.

THE Peoria Journal is ungallant enough to say that a certain lady editor is being unmercifully grieved for her work on one of the periodicals, to which the Chicago News demurs, saying that it has made no such discovery. "So far as we have observed," says the News, "the press of the country has treated her with dignified consideration. If the editor were not a woman she would not have fared so handsomely, but there is apparently a commendable desire on the part of the gentlemen of the press to view with charity and to treat with leniency her Quixotic labors. This is all the more gratifying since she has recently evinced a disposition to snub the newspaper reporters. It is rather amazing than otherwise, we think, that the western press has treated so generously a person who, disdaining life in the west and association with western society, nevertheless assumes to set up a literary standard in the west, with the claim that that standard answers the highest appreciation of which the west is capable at this time."

The fact that the editor of the periodical spoken of, or any other publication, is of the opposite sex, should occupy no place in the discussion of the question. The proprietors of a journal expect to make their expenses and something over, and the only means by which this can be done is to please the public in the matter of giving desirable matter in their columns. If a woman can do this as well as a man, she should in the absence of some other and better founded objection, have a place; but if she is not capable, giving it to her because of social position, abstract education, inclination, numerous backing, or what not, is simply to carry an incubus, and the end will come as surely as the flood tide will ebb.

It is a common mistake, albeit a needless one in the light of the numerous precedents, for a man or woman to be rushed into the editorial harness because of his or her ability to write grammatically, form pretty sentences, compose something resembling poetry may be, spell properly and so on. Yet when the editor's routine burden falls upon them, it is as hard and unseemly as the mythical spectacle of the globe resting upon the shoulders of Atlas. A Latin maxim says—*Poeta nascitur, orator fit*—which means that orators may be made, but poets are "born that way." Without entirely agreeing with that sentiment, we can certainly vouch for the correctness of the conclusion that editors are both born and made. Education without the journalistic instinct in a sanctum is like an elegant suit of clothing on a statue—the exterior is good enough, but the moving power beneath it is nil. And if to both education and instinct we add experience and endurance, we have the component parts pretty well put together.

Journalism is by itself an honorable and useful occupation. There are a great many others, however, just as much so, and it is therefore unnes-

sary for any person to break his heart because after a trial he finds that it is not his forte. Besides, those who look with longing eyes upon the tripod with its attendant shears and pencil, and once get into the traces, too often find out even when qualified that the gloss which attracted them was but the phosphorescent glow of a will-o'-the-wisp, existing visually but having neither substance nor form. If properly performed, it is a labor involving constant care and attention: the mind must be riveted to it so closely that it scarcely ever if at all moves in any other groove, and the head and brain during the working hours must never become weary or falter for a moment. A thousand themes in a tangled mass are clamoring for admission into the recesses of the mind asking for birth at the fingers' ends; something better than anything else must be chosen and erected with a tangible idea to give the world, and when born it, like the human infant, must be properly dressed or its attractiveness is curtailed in proportion to the deficiency. All this admits of no poring over books, or borrowing of ideas; you must act, and quickly—more, you must keep it up all day, or all night as the case may be, and day after day; you have no time to get tired, and if you had, you are not paid for emanations which advertise the weariness of their source—you must be fresh, bright and vigorous whatever anguish of spirit it may cost. And when to all this is added the fact that journalists, as a rule, are poorer paid in proportion to actual service rendered than the adherents of any of the other leading professions, it can be properly said to the unfortunate tyro who conspicuously fails after a faint effort, try something else.

## THE APPROACHING CONFERENCE.

By announcement in this issue, it will be learned that the approaching Fifty-sixth Semi-Annual General Conference will be held at Coalville, Summit County. The new Stake House at that place is not yet finished, but the people intend to put it in shape to be utilized for General Conference purposes by the time the gathering convenes. We are informed by President Cluff that it will accommodate somewhere between 1,200 and 1,500 people.

## LITERATURE.

MEMOIRS OF MR. LEE, with a sketch of the life of Senator Thomas H. Benton. By John Charles Fremont. In Paris, Chicago and New York: Bellord, Clarke & Co.

We are furnished by the publisher of the above volume, which is being issued in parts, with part 1, consisting of 59 pages, on strong, heavy paper. The letterpress is absolutely perfect, and the engravings much superior to those of most similar publications extant. In the part before us are a number of portraits and some sketches of scenes and incidents, indicating that the work as a whole will be profusely illustrated in the highest style of the art. The portraits so far are splendid likenesses of Gen. Fremont himself, which constitutes the frontispiece; Jessie Benton Fremont (who, by the by, writes the sketch of her father's life); Napoleon Bonaparte; Thomas H. Benton, and a Cheyenne Belle. The language is copious, clear and scholarly, the descriptive matter vivid, and the details given with exactness and precision.

As Gen. Fremont's history and that of Utah are connected to some extent in one part of each, the work will possess peculiar value to most of our people; and as a record of early western life, it will be found a valuable addition to any library.

## EVIDENCE IS SUPERFLUOUS.

If anything were lacking to prove that evidence is really unnecessary to the conviction of a "Mormon," when the Prosecuting Attorney determines upon a verdict of guilty, the Dean case will furnish what is necessary. That there was not the smallest atom of proof adduced that Mr. Dean had either married or cohabited with Florence Ridges, we need not state to any one who has closely watched the case.

The testimony of the "snoop" who acted as spotter and informer, in any other case than one against a "Mormon" would have had no effect except to excite the contempt of those who heard it. And yet it was the chief reliance of the prosecution. It amounts to this: That the attention which any gentleman will pay to a lady traveling without escort, if it happens on the way from Logan to Salt Lake, is to be taken by an "impartial jury" as proof of the marriage of the parties. This is conclusive proof against a "Mormon," according to the Dicksonian method of reasoning and evidence.

Also if a man "sits up" with a girl, it is proof positive that she is his wife, providing only that he is a "Mormon." Unwittingly Mr. Dickson pays a tribute