

been slain; for they cry from the dust for vengeance upon it, and also upon those who build it up.

"For it cometh to pass that whoso buildeth it up, seeketh to overthrow the foundation of all lands, nations and countries; and it bringeth to pass the destruction of all people, for it is built up by the devil, who is the father of all lies; even that same liar who beguiled our first parents; yea, even that same liar who hath caused man to commit murder from the beginning; who hath hardened the hearts of men, that they have murdered the prophets, and stoned them, and cast them out from the beginning."

#### ANOTHER ASSUMPTION.

The bar of the Third District Court in this city is rapidly becoming, if it has not already become, a stage upon which the sensational holds high and undisputed sway. It seems as if the determination to convert the temple of justice into a Coliseum or theatre, wherein such startling effects as please a morbid fancy are produced in rapid succession, transcends other considerations. Certain it is that no one who has administered or practiced law anywhere or at any time, ever beheld within the same space so much that was new, startling and peculiar as those whose duty has called them to assist in or witness the transactions which have characterized the alleged administration of justice at this place, first spoken of, during the few months. One departure from previous experiences has almost trodden upon another's heels, so fast have they come. It is out of the question to enumerate just now; we can only mention them down as they transpire, and save the rest to the memory of the reader.

This morning, Aurelius Miner, a member of the bar, was called upon to receive sentence pursuant to his recent conviction on the charge of living with and supporting more than one woman as his wives and their offspring, his children. The usual formula has gone through, with the inevitable "Have you any promises to make?" with its prefixes and suffixes, being projected at the defendant with all the force which an outlined and prearranged determination somewhat embellished by constant repetition would permit. No, he had no promises to make, no assurances to give, no suggestions to offer. Having been hounded into the lair, he was a prey to those who constructed it, and did not care it such a juncture about bandying words. His fate was already written in the records of those who had gone before, with a blank space for his name only, and all that he could consistently say would not obliterate the entry. He made a little speech, however, declining his position, but this amounted to hardly a matter of form, in view of the fact that oratory on this side of the line, however excellent or comprehensive, equals nothing before a tribunal dedicated to sophistical rhetoric on the other side. The customary edict—"You will be confined to the Penitentiary six months, and pay fine of \$300 and costs, and stand committed till the fine and costs are paid"—was reeled off with a celerity and exterior which only steady and industrious practice can impart, and Mr. Miner sat down. But his troubles did not cease, even so far as the Court was concerned, at that point. His honor proceeded at once to announce that there was a proper subject for charge of violation of bar reportment, and fixed a day for hearing the same—next Saturday, the object being, of course, to disbar the defendant. It thus appears that his honor, having reduced the grand jury to the position of a maid-in-waiting on the Court, now arrogates a function which is supposed to inhere in the bar itself—that of being its own purifier so far as preliminary work is concerned, saving only the ratification of its conclusions and expressed wishes to the Court. Doubtless his honor is becoming impatient with the tardy-gaited manner in which his officers perform their well-known because frequently expressed will, and, in addition to the already onerous burdens which he is carrying, will take up that of the bar, the juries, the marshals, the clerks and the bailiffs if necessary, and if that is not enough he would doubtless be willing to light the fires, turn on the gas and sweep out, rather than have that superexcellent piece of mechanism which he controls admirably, squeak in a single joint so very much as an instant's span its regular revolutions! It has got to go according to the diagram and up the schedule; those who don't want to get hurt had better keep out of its way.

Seriously, is not Judge Zane undertaking a little too much? He succeeded excellently in his first grand departure from previous practice, but that does not necessarily prefigure instant success in the same direction. Greater and wiser men than he have fallen by the wayside because they did not stop early enough. Alexander, who long time ago was the prince of that little province which is again bubbling with the heat of war, after conquering the world was conquered by his own passions; he was not satisfied with a startlingly good thing, but, like Oliver Twist, wanted more. Hannibal's soul would have soared to the gods from an unconquered body had not his uncontrolled ambition led him to desire

just one more point—the subjugation of Scipio Africanus. Napoleon III. fared sumptuously on the reputation of his uncle, and even accomplished some little for himself without being a pensioner on the dead; but when he sought to make his dynasty, already secure, impregnable, and to accomplish that purpose imitated his departed relative by provoking a war with Germany, he found the parallel between them ending at the Rhine, himself gaining nothing and losing everything. Can, will not, Judge Zane profit by the examples of history, if present considerations afford no restraint, and call a halt somewhere this side the summit of the declivity which leads to decadence and ruin?

#### SLIGHTLY ASTRAY.

THE San Francisco *Post* of a recent date, in speaking of the scene in the Third District Court room here when Elder John Nicholson received his sentence, endeavors to be facetious by remarking that "a newspaper and one wife ought to be enough for any man." That paper and all others should know, as they doubtless do, that a newspaper alone is too much for some men, and that one wife is more than a great many deserve. But because of the inability on one hand and the lack of deservings qualities on the other, does it therefore follow that all are so situated? There are talented journalists whose work speaks through the columns of their journals day after day in tones which command attention and receive respect, making their publications powerful and influential and the proprietors wealthy; then there is the other class, all of whose efforts at making interesting pictures with white paper for canvas, printer's ink for paint and the pen for a brush, are at a glance so conclusively a waste of effort as well as destruction of the raw material, that we first pity and then despise if we endure. We don't say which class the *Post* belongs to, because it is unnecessary; but admitting for a moment that it is all its owners claim for it, it still follows that all are not like unto it, because some are better and many others worse; those, however, that are much worse ought to be suppressed, for the reason that the *Post*, sprightly and able though it is in some respects, does not approximate high water mark by a great deal, as we shall show further on.

Then as to married men: Some are models either as husbands or citizens. They are honest, virtuous, industrious and happy; if their families are not the same, it is not for want of a good example. Such men when they enter the marriage state, enlarge the sphere of their usefulness by forming the compact by means of which alone society in its best estate is maintained, protected and cultivated. Being worthy themselves, they stimulate worthiness in others, and show how excellent a thing it is to begin right and continue right. But all men—we may say the overwhelming majority of men—are not thus; quite the reverse. Good husbands are not so numerous as those who form their conclusions from outside appearances; imagine; one here and there is the rule. Now, since some are good, others indifferent, and a great many bad, where and how is the rule of ascension and declension to be fixed? If those who are bad are to have none—and they should—those who occupy medium ground should or should not, according to the individual circumstances in each case; and then we come to those who should in every instance take upon themselves the blessings and burdens of a household. Even in their ranks we shall find some better than others, more desirous, more deserving and more capable; and to say that all of them should be gauged by the deserts of one or two, is at once to destroy the principle of proportion and to set aside the beneficent rule of the eternal fitness of things. To judge of the good by the standard of the bad, or *vice versa*, would be to make judgments as unsound and unsupportable as many of those pronounced by the Judge of the Third District Court of Utah.

The *Post* goes on to speak of Elder Nicholson's address to the Court, saying, among other things: "He quoted the example of 'Moses and others of old,' but unfortunately for him the Old Testament is not admitted as an authority in our courts." The writer of that quotation is either contemptibly malicious or painfully ignorant. Both the Old and New Testaments are used whenever desired in any court in the land, not only in this country but wherever enlightenment and Christianity are hand in hand. The Bible is the foundation and almost the limitation of all our principles of jurisprudence, as the *Post* man would know if he had informed himself on the subject before writing it. Let him "read up" on Moses, for instance, and then turn to the early chapters of the greatest modern expounder, Sir William Blackstone, and he will find a full recognition of Holy Writ as being not only the source of legal philosophy, but of the practice of law as well. Though a devout monarchist and inculcating the principle of "affectionate loyalty to the sovereign," he still realized and recognized a Ruler above the sovereign, for he says in one place: "If ever the laws of God and man are at variance, the former are to be obeyed in derogation of the latter."

The law of God is, under all circumstances, superior in obligation

to that of man." Perhaps the *Post* will say that Blackstone is "not admitted as an authority in the courts," and it would not be far out of the way if it referred to Utah courts; but it is plainly to be seen that if one link in the chain which connects Divine authority with modern jurisprudence be taken away, its power to bind and restrain is gone, and only those laws which are favorably "construed by the courts" will be recognized. It is merely a question of judicial atheism against God-made and God-protected principles; and there is nothing for the righteous to fear in the spectacle of press, pulpit and bench going pell-mell to the support of the former.

#### OUR LONDON LETTER.

THE QUESTIONS THAT AGITATE THE ENGLISH PUBLIC REVIEWED IN A TERSE AND INTELLIGENT STYLE.

LONDON, Sept. 21, 1885.

Editor *Deseret News*:

The approaching struggle between the Liberals and Conservatives for the reins of parliamentary power during the next six years, is the topic which engages the chief attention of the British journalist and occupies many columns of the London dailies. Speeches of great length and more or less depth are being made by the leading men of either party, and of course they consist to a great extent of surface remarks, thin humor at the expense of opponents, and arguments (?) to prove that the salvation of the country depends on its government by the party which the speaker represents, and that the certain consequence of a victory by the other party will be national disgrace and decadence, if not anarchy and destruction.

Mr. Chamberlain, one of the bright lights of the Liberal party, a member of the late, and prospective member of the future, Gladstone cabinet, defines

#### POLITICS

to be "the science of human happiness." This is very pretty and ought to be true. But as at present in practice it is the science of party, of personal gain, and of making the many contribute to the fortunes of the few. It really is now an art rather than a science, and very artful indeed are its professional practitioners.

Speaking of Mr. Chamberlain calls to mind his recent speech at Glasgow, in which he touched on two important questions, namely, the disestablishment of the Church in Scotland and the rottenness of the land system of Great Britain. It seems quite probable that

#### CHURCH AND STATE

will at no distant date be separated in this country. Scotland will possibly take the initiative in this needed reform. Perhaps the proper word to use would be revolution. For it would indeed be a complete overturning of things, and it involves many considerations of great moment. What to do with the vast wealth of the establishment is a problem not to be solved in a moment. What portion of its financial endowments belongs to education and what to theology, is a knotty question. And when the time-honored privileges of the clergy, the right of the bishops to sit in the House of Lords, and the laws and customs of centuries, moss-grown and hoary like the churches endeared to millions by the memories of many generations, are considered, the task of peacefully settling the question of disestablishment is seen to be no boy's work. Yet it must be done. Whether by revolution or successive and gradual facts of Parliament, depends upon the course of future legislators.

The error of the claim on which this union of church and state is founded, namely, that "it is duty of the State to support some form of religion," is becoming clearer and plainer, as the power of the clergy diminishes and the mists they have gathered over the popular mind are dissipated. It is seen that if the State may establish religion, it may also decide what kind of religion that shall be. For it cannot be conceded that the State should foster heresy. If the responsibility of establishing and supporting religion rests upon the State, then the State is responsible for the supremacy of true religion and the suppression of error. This at once opens the door for

#### RELIGIOUS TYRANNY

and the application of all those engines of force and cruel oppression which have made horrible the history of medieval times, and which now justifies in the minds of those who cling to the fallacy, those barbarities and persecutions still perpetrated, sometimes under color of law, upon the devotees of unpopular creeds.

Mr. Chamberlain rightly reasons: "If a man has the right to think out for himself his religious faith, to hold it, and to back it, he ought not to be either bribed or persecuted in order to induce him to relinquish it; and the State oversteps its proper field of duty and trespasses on religious equality and religious freedom when it singles out any form of religious belief for its care, or any religious organization for its special patronage." He might have added, and when the State selects any particular faith or religious system on which to exercise its powers for suppression and destruction, it commits an outrage not only upon the people who suffer from its vengeance, but upon the sacred principles of religious liberty, which belong of right to every living man.

The objector will here interpose the musty platitude that the State should not interfere with belief, but may and ought to suppress crime even if practiced in the name of religion. The answer to which is, the State oversteps its bounds when it legislates into crime a religious ordinance or custom that is not essentially criminal, and becomes a tyrant when it seeks to punish religionists for the practice of a tenet which injures no one who does not practice it; and the religious freedom which only consists in liberty of thought and belief, without liberty of action, is but the shadow of a sham.

It is not a little remarkable that in a land supposed to be dedicated to religious freedom, a government framed under a Constitution which makes complete religious liberty a fundamental principle, in the full electric glare of the nineteenth century both

#### BRIBES AND PERSECUTES

in order to induce citizens to relinquish their religious faith as well as the practice of that faith. This is now being done in Utah. If a man believes in the rightfulness of a certain tenet, he is debarred from the exercise of the common privileges of citizenship, and stripped of some of its rights if he practices it. And as a bribe he is offered immunity from punishment for the practice of his faith if he will disavow his belief in it and persuade others to do so.

#### "RECENT!"

is now the cry of the Federal judge as it once was of the State-endowed priest. To-day the mild persuader is not the rack, the gibbet, or the flame that quickly burns to death, but the refined torture of prolonged incarceration in a hell-hole and with diet unfit for dogs, and in close companionship of the lowest elements of humanity. The spirit in both cases is the same, the purpose similar, the means even are not altogether unlike. When the State undertakes to crush an obnoxious Church, it is much more outside of its proper limits than when it assumes to establish or support a favored religion.

#### THE LAND QUESTION

is likely to figure prominently in public and in Parliament. Mr. Chamberlain favors a change in the land laws by which the actual occupants and tillers of the soil may be able to obtain it on secured tenure, at reasonable rent fixed by an impartial tribunal, and purchase it at its ordinary value. To facilitate this, the law of entail must be abolished and the law of primogeniture, and an easier and cheaper method of transfer must be adopted than that now in vogue. Mr. Gladstone, who has just published his manifesto, is in favor of these reforms. But an agitation is now in progress which promises to force reform on the land question, and to make such a stir inside and outside of Parliament as shall rival the furor which compelled the repeal of the corn laws. A society has been organized called the

#### FREE LAND LEAGUE.

Its object is to abolish the restrictions which prevent the sale of land in small parcels, and which hinder the acquisition of a clear title by holders, and by younger sons when the land-owning father dies intestate. In other words, to clear away the legal rubbish that cumber the land system, enriches the lawyers at the expense of the land-owners and makes it almost impossible for any one but a rich person to be a *bona fide* owner of real estate. The law of entail keeps vast amounts of landed property in the line of certain families, and ties it up effectually from other ownership. Primogeniture gives to the heir, when the father dies without a will, the title to the real estate to the exclusion of the other sons. These time-honored but absurd regulations are to be swept away, and by a system of registration to be inaugurated, the titles to all the lands in the United Kingdom are to be settled and made known, and conveyance be made easy and cheap. No one who is only acquainted with the quick and simple and inexpensive method of transfer of real estate in America can understand why the senseless and difficult mysteries and complications which surround the land system of England have been allowed to remain, to the hindrance of prosperity and the impoverishment of the tillers of the soil.

#### JOHN BRIGHT

is in accord with the movement to accomplish these reforms. They will be hedged about with many difficulties, but they are practical, needed, and free from the element of confiscation, which stands in the way of the sweeping theories of Henry George. Vested rights must always be a powerful consideration in the discussion of any important change of custom, law or policy.

Talking of change, on the 1st of October the

#### SIXPENNY POSTAL TELEGRAPH

is to fly for the first time on the wings of lightning. For twelve cents twelve words can thenceforward be sent to any part of the kingdom by telegraph. Addresses and signatures are to be counted in. Double names of towns to be counted as one word; numbers of houses, five figures or under, as one word. The name only may be appended as signature, but address of signer must be given apart from the dispatch for use if necessary. This will be a good change, the cheapest telegram now being a shilling.

Rifle men will be interested in the

#### CHANGE

of cartridges to be shortly inaugurated. During the difficulties in the Soudan a newspaper man called attention to the "jamming" of the Martini-Henry cartridges, owing to the thinness of the metal used in their manufacture. The thinness was then attributed to his story, but it appears that the fault has been proven to exist and to have rendered the weapon in which they were used, very inefficient in action. Experiments are being made with a cartridge of thicker metal with a view to discarding the Martini-Henry—and perhaps to open the way for a "job" in another direction.

The handsome modern monument that marks the site of old

#### TEMPLE BAR

is a great change from the antiquated archway which formerly stood at the west limit of the city proper and divided Fleet Street from the Strand. It is often asked, what became of the Bar? Well the chief portions of it were taken care of in Farringdon Street, and now it is proposed to set up the old Bar, (on which the heads of traitors were once exposed, to the terror of the masses) in Battersea Park near the new Albert Palace, a place of public resort.

#### SUDDEN FATALITIES

are among the changes which upset men's projects and calculations. Some of them appear to favor the doctrine of fate. A striking instance is the "accident" which occurred recently to a clergyman. He was riding in a carriage with some relatives, and "took a notion" to walk along the road. He stepped alongside a wagon loaded with hay. A laborer on the top slipped and fell with a pitchfork in his hand, the prong ran through the parson's body, piercing his heart, and in a moment he lay dead upon the ground. Who knows what a day may bring forth? Who shall say that this was purely accidental?

#### GREAT CHANGES

often hinge upon a single life. Witness the change that took place in Utah on the 24th of July. Through the death of a great man, that which was the day before denounced as a crime, to prevent or punish which the army of the United States was to be actively engaged, was suddenly turned into a virtue, and the same voices which cried out for the slaughter of the "Mormons" if they dared to half-mast "the flag," had to proclaim the half-masting as a general duty. How quickly a pretended roaring lion can be changed into the reality of a braying ass, when that Power which is above all accidents turns but a simple key! And how soon can that same Power change the temporary triumph of the self-seeking persecutors of the sons of God, into the lamentation of defeat and deep disgrace! Among the great changes which are at our very doors, let there be no change from that quiet but firm and unshaken maintenance of principle and covenant which has marked the conduct of the martyrs and brings hope and confidence to the heart of

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