

elected officials, waiving their right to resist, which they have not attempted to exercise, and thus risking nothing but securing peace. Who will say that, all things considered, they have not done wisely and well?

#### THE PRESIDENT'S ILLNESS.

A STATEMENT was made in the dispatches yesterday to the effect that the President of the United States was standing on the brink of dissolution, at least that, without a radical change in his methods and practices, he would not survive his term. This assertion came to us backed by no less a person than a physician of high degree who had been taking notes and decided it to be his duty to print them. He claimed that Mr. Cleveland was too much of a worker with his head and too indolent with his body; that he ate and drank too much and did not walk enough—most of which we have understood before and anyone at all familiar with what is going on at Washington may readily believe; though but few, we fancy—we are among the unbelievers—will be willing to accept the doctor's diagnosis of the case in its entirety and look upon his conclusions as the inevitable or even probable result. Notwithstanding, it is something that causes nearly as many deaths as the railroads. Just what has been set forth in connection with the nation's chief executive; men are killing themselves by inches day after day, and either do not know it or knowing it do not care or are in such circumstances that they cannot call a halt in the suicidal programme. So long as their minds hold out, their nerves do not entirely falter, and their hands lose not their cunning, the brain is given no rest and but little relaxation; it is a continuous and unrequited draft upon it from the beginning of one day to the commencement of another; for the period of alleged repose at night, when the victim is in bed, is so thronged with chaotic impressions produced by reason of the unbroken strain of the day, or the time is so much taken up with devising plans and arranging details for the morrow, that the amount of rest acquired by reason of recumbency and the curtains of night, is hardly even nominal. There is, with such people, no time for junketing parties, fishing excursions or jaunts for any length of time in the recesses where nature is uncorrupted by art; and the strain upon the system by reason of the large quantity of ailment needed to keep the nerve centres in their sockets and the electric messengers in their grooves is generally insufficient, or else the bodily vigor is sapped and physical strength undermined, so that at last, through weakness all around, complete prostration is the result; whether this ends in death or not depends upon the quantity of vitality which the person inherited, from nature.

The early death of President Cleveland would be a serious if not irreparable loss to the country in more ways than one. Omitting all question of the serious shock which so lamentable an event would produce, there would of necessity be for a short time an interregnum, or period in which the government would be without a head and front, and complications of more or less importance might arise at such a time; then his temporary successor would be a Republican and as such reverse the existing order of things all at once, which might bring about such scenes as characterized the early part of Andrew Johnson's apostasy from the Republican party; and confusion generally would reign at headquarters.

A later dispatch states that the President was never in better health, which, if true, goes to show that he can stand a great deal more than some of his anxious friends think. The later news is the more likely to be true, and is certainly congenial with our wishes in reference to him.

#### DO NOT BE MUDDLED OR MUZZLED!

THE distinction between "aiding" and "upholding," and between advising a person to break a law and declaring that the law is wrong, ought to be clearly understood by the people of Utah. When persons who aim to despoil the Territory endeavor to confound these terms, and are assisted in their nefarious work of deception by Federal officials, it is the province of the press to expose the cheat and make the truth plain to the public. The masses are not always fully informed as to the meaning of words or the significance of legal provisions, and scoundrels and pettifoggers often take advantage of this lack of information.

To aid or abet anyone in the breaking of the Edmunds law or of the new act which is supplementary thereto, something more than associating with or agreeing to the views and practices of offenders is absolutely necessary. A man may consider polygamy morally and religiously right, and may approve of the course of those who marry plural wives and live with them, although the law provides penalties against those practices; but, if he does not assist by

his acts in the breaking of the law, he does not aid or abet its infraction. Belonging to the same Church as polygamists belong to is not polygamy; associating with men who live with more wives than one is not unlawful cohabitation; nor is a similarity of views as to the rightfulness of these doings aiding or abetting the violation of law. And supporting a Church, some of the adherents of which practice plural marriage as a part of their religious belief, cannot be construed into aiding and abetting those who break the law, by any feat of judicial word-twisting that will bear the test of law or of common sense.

When a voter, a juror or an official elect, swears that he will not aid or abet others in breaking the laws, he does not thereby recant any article of his faith, or agree to give up any principle of his religion, or withdraw from fellowship in any church. Neither does he agree not to "uphold" any doctrine or tenet in theory, or to abstain from declaring that the law is wrong and that some of the acts which it makes criminal are in themselves morally right. The oath does not interfere with his convictions nor his constitutional liberties, among which is "freedom of speech and of the press."

The language of the law in respect to this portion of the oath is "that he will not, directly or indirectly, aid or abet, counsel or advise any other person to commit those crimes." What crimes? The "crimes in said act" are adultery, fornication, incest, polygamy and unlawful cohabitation. The promise in regard to these is that he will not commit them nor aid or advise any other person to commit them. In order to break this promise he must either commit one of these crimes himself or help or counsel some other individual to do so. If one who had taken the oath should be called in question for not having observed his agreement, it would have to be shown that he had broken the law since taking the oath, or that he had aided or advised some other person, who, with the alleged offence, would have to be designated, to actually commit one of the crimes named in the law. In fact he must, by some overt act, bring himself within the penalties of the law or it cannot be legally declared that he has violated his oath.

Every man has the constitutional right to pronounce the laws of 1882 and 1887 or any other laws wrong in principle and subversive of personal liberty. He has also the same right to declare, publicly and privately, his views as to the rightfulness of practices that a law condemns.

Slavery is now prohibited by law. It is condemned by legislative enactment and by public sentiment, and the controversy as to its practice has been settled by the arbitrament of war. Yet any man who still believes it right may declare his convictions and contend that the law is wrong. But he must not hold a human being in slavery nor aid or abet, counsel or advise another person to do so. For, the act is declared by law to be a crime, and every one who commits it may be punished and also those who aid or assist in the criminal act. But anyone has the right to defend or uphold slavery as a proper practice, so long as he does not break the law or help or endorse others to break it.

Smuggling is prohibited by law, and no one must commit that offence or help others to do so. But every man and woman may freely denounce the laws and regulations as to customs, duties and excise, and to advocate the entire overthrow of the revenue system. But he must not commit an overt act in violation of the law against smuggling or assist others in that violation. So in regard to other things made criminal by legislative enactment.

If a man believes polygamy to be right he may say so just as publicly as he pleases and may give his reasons for his belief. He may advocate it from a religious, social, physiological or any other standpoint. And when he makes oath that he will not break the law himself nor aid or advise any other person to break it, he does not forfeit his right to his opinion or to the free expression thereof. And so long as he does not break the law nor help or counsel another person to break it, he may preach what he pleases as theory and doctrine, as right or wrong, as divine or human, as lawful or unlawful. Opinions are not bound by statutes. The public or private declaration of beliefs cannot be assailed by law. Overt acts which violate law can alone be reached by the grasp of the law; it is impotent to touch mere faith or the advocacy of a creed.

Let no one be deterred from taking the oath who is not an actual violator of the Edmunds Act of 1882 or 1887, and who does not intend to break the law or help or advise another person to break it. Our readers will observe that there are other offenses named besides the one practice that the courts here make so prominent in their zeal about the oath. They do not fuss and flounder about those real crimes against the home and against society, nor manifest any anxiety lest some notoriously impure juror should incontinently make the pertinent promise not to do wrong any more. In their eagerness to keep out as many "Mormons" as possible from the jury box because of their possible belief in the rightfulness of plural marriage, they overlook the fact that to be consistent they ought to make some show of interest in the exclusion of resorters to vile houses, and persons addicted to the practices which

the law condemns equally with polygamy. Alders and assessors of those crimes ought not to take the oath, and the future may develop some things which will make the law even more obnoxious to the L. S. than they acknowledge at present.

"Mormon" voters, you are at perfect liberty under the law to believe what seems right to you, to advocate it by tongue and pen in public and in private, to declare the law wrong in principle and do everything legal to prove it invalid. And the oath it provides will not infringe upon your liberties in these respects. Do not be confounded by the sophistry of knaves, nor be muddled in mind by the vagaries of official fools. Act on your own agency with an understanding of the law and its meaning, and secure and exercise your franchise according to conscience, for the maintenance of the Democratic principle of the local rule of the local majority.

#### HE WOULDN'T BITE.

AN account of the judgment of the Third District Court in the case of S. L. Tobias, for the larceny of a five-dollar gold-piece, appears in our local columns. The case was appealed from Justice Pyper's Court, and tried over again in that of the Third District. The result on each occasion was conviction. The appeal of the defendant to the anti-"Mormon" prejudice of Judge Zane was pitiable. The same contemptible subterfuge was resorted to in other previous cases, with a like result to that of to-day. One of the former occasions was the conviction of Charles Gilmore, a fellow with the reputation of such a character as a neighbor that to live adjacent to him would appear to be equal to a residence next door to a pest house.

In addition to the insult to the Judge in the matter of bias, those fellows seem to take him for a fool, and thus put themselves on the catalogue of the senseless. The idea that the Judge is to be influenced in passing judgment because the first conviction may have been found by a court where the officers and perhaps the jurors were "Mormons," is a direct insult, especially when the former treatment of the case is verified by a second conviction in Chief Justice Zane's own court, where the jury was almost wholly composed of non-"Mormons." In such a case to raise the point of "Mormon" animus and persecution is as absurd as it is villainous.

That Judge Zane was annoyed by the transparent appeal to his prejudice was evident by his manner. That he is bitterly biased against "Mormons," and has manifested it in the most positive shape, is not to be doubted, but that he is to be caught by such unadvised bird-lime as that presented to him by people of the Tobias and Gilmore stripe is out of the question. But had he been free from prejudice and manifested that dispassionate fairness that marks an upright Judge, he never would have been the objective point of such senseless and vicious appeals for its use to cover up crime.

#### THE WAR CLOUD RISING AGAIN.

ALL is not so serene in Europe as the dispatches sent broadcast immediately after Emperor William's birthday indicated. A fresh grievance between the two powers which seem to be irreconcilably opposed to each other—France and Germany—has been developed, and the trouble, though not serious just now, is enough to base a big scare upon when it is so well known that either is willing to take advantage of even a trifle to provoke the other and make things uncomfortable all around. They are like two neighbors who have had a difference and settled it superficially under a pressure, while at the same time neither will tolerate the slightest word, look or act that seems to convey opposition from the other.

That France and Germany are only reconciled in name and on paper, that the Lesseps visit and President Grevy's complaints to Emperor William on his natal day were simply so much artifice meaning nothing but a desire to be correct before the world, and thus gain moral support, was never better illustrated than in the treatment the great canal-maker received from the French press on his return home, when he was scored for presumptuousness, misrepresentation, etc., and advised to confine himself to the business in which he had acquired a reputation; it is also to some extent shown forth in the utterances of one of the French newspapers (*La France*) within twenty-four hours after Grevy's dispatch of congratulation to William, when it said something so bitter and incisive as to provoke the following comment from the official organ of the Empire, the *North German Gazette*:

"If we expose these effronteries of the French patriotic press, it is not in order to subject them to criticism, but simply to add to the extensive documents which will one day give evidence to the calm patience with which Germany has borne for years the most in-

solent French slanders and provocations."

Add to these statements the language of Bismarck in the Landtag, on Thursday last: "We must aim to consolidate the unity of the entire German nation, in view of the dangers to which it will be exposed at no distant time, and it will be seen how fallacious are all statements and reports coming from across the Atlantic which assure peace for this year."

It is one of the significant things, rendered more significant by the condition of the political atmosphere of Europe just now, that shortly before the breaking out of the Franco-German war of 1871, a Reuter telegram, coming from a source supposedly authentic on all such occasions, stated that peace was arranged definitely and that any reports to the contrary would emanate from speculators on the bourse and elsewhere; within two weeks from the sending of the dispatch there were more than half a million armed men in battle array along the shores of the Rhine; within three weeks the battle of Saarbrücken—the only French victory of the campaign—was fought, and within seven months France was helplessly subjugated. Dispatches, it would appear, do not plaster wounds; and the feud between the chief Republic and the great Empire beyond the sea is too deep-seated for surface treatment to be effectual.

#### THE EMPEROR'S BIRTHDAY.

EMPEROR WILLIAM has now entered upon his ninety-first year, and judging by his health, vigor and clearness of mind, is destined to see at least one more birthday. What mighty changes this old man has beheld upon the face of this lower sphere! What awful reckonings the hand of time has wrought within his lengthened span! Not only in his own country, but throughout the world, the work of the destroyer and that of the restorer alternately has done and undone, placed and replaced, such things as must assume to the retrospective view of the venerable Emperor the picture of a mighty panorama, in which anarchy and law, chaos and order, adversity and prosperity, chase each other in kaleidoscopic succession. Being driven from his home at a tender age by the first Napoleon, he found the opportunity to return, to take the place assigned to him by lineage, to unite Germany and wreak vengeance upon the Napoleonic dynasty by despoiling the third reigning member of that house not only of home, but of power and almost of name. Germany, once and until recently an unbound confederation of almost helpless states, is a united Empire, strong to the point of aggressiveness and bidding defiance to the world. A nation in which there are no ignorant people and fewer rich ones than in any other civilized and enlightened power, is, notwithstanding the tendency of learning toward republicanism, the most compact monarchy on earth—so compact, in fact, that it is constitutional merely in name; in fact and in effect it is absolute.

The Emperor has lived a good, long life, and the majority of his subjects are willing that he should remain with them as their ruler for a long time to come.

#### WHERE IS POWERS?

THE appointment as Railroad Commissioner of Judge Cooley, the celebrated Michigan jurist, calls to mind the threatnings of ex-Judge Powers, the notorious Michigan failure. When the deposed and rejected segregator slid down off the bench of the First District Court of Utah, he announced through certain alleged public journals that he was going to make it warm for Cooley; that he was "on his trail," and the country was invited to wait awhile and witness the scalping and tomahawking to be performed by the savage Powers before many moons had waxed and waned.

The turned out official was after a number of his enemies, that is, the Michiganders who had given him a true certificate to Cleveland and certain "Mormons" whom he imagined had vamped the toe of the Executive boot, but his eye—with blood in it—was chiefly centred on Cooley. The way that gentleman was to be carved up and dissected was to be a caution to character smashers, and the world was to wonder at the shock of the great catastrophe. But the months have rolled on and "not a sound is heard nor a funeral note" from the throat of Powers or of the anticipated victims to his terrible revenge. Judge Cooley has a six years appointment to the tune of seven thousand dollars a year and expenses, while the smirched and kicked out braggart who was to have crushed the Judge with one hand and annihilated "Mormonism" with the other, has sunk out of sight in the Michigan mud where he was wont to revel, or is hiding his unattractive phibor in a deep and dark political and official grave.

We only have to wait and watch to see the same fate overtake all the fellows of the same kidney, who make it a hobby to ride roughshod over right

and reason in order to trample on the "Mormons" and stamp out their religion. The "cold and silent tomb" is yawning to receive other similar venomous creatures who will soon be officially headless.

#### THE INTER-STATE COMMERCE COMMISSION.

THE Commissioners under the Inter-State Commerce law were appointed by President Cleveland on Tuesday, and the personnel of that body will, we think, be satisfactory, all being men of high character and, in most instances, of great ability and experience in public affairs.

The chairman, Judge Thomas M. Cooley, of Michigan, who serves for six years, is an able jurist and author, and is specially fitted for the duties of the place, a great deal of his attention having been taken up with railroad matters of late years; he is not noted as a partisan, and might be termed a no-party man with Republican proclivities.

W. B. Morrison, of Illinois, is better known by reputation and name in this part of the country than any of the others. As a member of Congress from Illinois for six consecutive terms, he has made an enviable record for ability in debate and workmanship in committee. He was candidate for the United States Senate in the famous neck-and-neck race with Logan, the Legislature being a tie. He was defeated through the death of one of his supporters and the subsequent election of a Republican to succeed him. He is appointed for five years.

August Schoonmaker, Attorney-General of New York State, is, as his position implies, a thorough lawyer and Democrat. He holds the office for four years.

A. F. Walker, of Vermont, who serves for three years, is a lawyer of considerable ability and high standing, having also had experience in railroad affairs. He is a decided Republican politically.

Walter L. Bragg, of Alabama, is the short term member, holding for but two years. He is a Democrat.

The Pacific Coast would have been better satisfied if a member had been chosen from west of the Missouri River; otherwise we do not think any fault will be found. In point of salary, the commissioners are very desirable things to have, it being \$7,000 per annum and necessary expenses while traveling on official business.

#### A LITTLE OFF.

THE New York *World*, in commenting on the sad story of the disagreement between Bishop, the "mind reader," and his wife, which has been paraded in the public prints till everybody is disgusted with both parties, remarks, "We have such a laundering of soiled linen in the market place as has not been seen since Adam and Eve had their disagreement."

The paragraphist of the *World* seems to have a much closer acquaintance with soiled linen and its "laundering" than with Biblical history. We were under the impression, from the account given of our first parents, that there was not very much linen in the original garden, either soiled or immaculate. And as to any disagreement between the primeval pair the sacred record is silent.

They seem to have been in perfect accord on the fruit question. Eve persuaded Adam to partake, and he complied. And when called to account for what he had done, he simply told the facts. If Eve contradicted or disagreed with him, no word has reached their posterity of the trouble. The *World* writer, like many modern journalists, has drawn upon his imagination both for the "linen" and the "disagreement" in the pleasant groves of peaceful Eden.

In 1870 there was an old cotton field in Alabama that could have been bought for ten dollars an acre. To-day it is the site of Birmingham. It has 35,000 inhabitants, and lots are selling for \$1,000 a front foot. It is the most remarkable example of spirit and energy of the new south that can be exhibited. So it is in Atlanta. The new south comes from the north and settles in the towns and cities. The old south is being pushed back into the country, and hides itself in the cotton fields.

The organ of the Methodist Episcopal Church of this city (the *Christian Advocate*), Rev. S. J. Carroll editor and publisher, joins in the denunciation of President Cleveland and Attorney General Garland on account of the pardoning of Joseph H. Evans. So merciless are the anti-"Mormon" crusaders that any person who will manifest a scintilla of magnanimity toward a Latter-day Saint is denounced by the narrow-souled, nipped-up tin-compoops in the shape of men, whose hearts are a mixture of rail and bigotry. When such fellows are called upon to render a final account, if they obtain any mercy it will not be because they are entitled to it. That article is to be dealt out, according to the Divine Master, to those who show it to their fellowmen.