

EDITORIALS.

THE scene at the conviction of Stokes for the murder of Fisk was a remarkable one, as represented by the New York papers. It appears that the prisoner, his counsel, and friends confidently expected his acquittal, and were all disconcerted and almost struck with amazement when the verdict of guilty was returned. While the jury were out considering what verdict to render, the court room was a scene of cheerfulness and chattiness. Lawyers flitted around conversing with clerks and others and speculating upon the result, reporters and spectators were betting on the verdict, friends of Fisk were laughing and talking, the sister of Stokes was chatting gaily with the Misses and Mrs. Townsend, and all were waiting for the jury, with no expectation of the solemn nature of the coming verdict.

Two hours passed and a change came over the spirit of the scene. Suddenly a cry was raised, and the face of Judge Boardman was seen at the door. Hats were removed, there was a hurrying into chairs and seats, reporters took up their pencils and paper, and Stokes made his appearance and faced the jury chairs, with his relatives and friends. The jury entered composedly, but with pale faces, clenched teeth, red and glistening eyes, and conviction manifest in their countenances. They took their seats quietly, and looked at the prisoner. Hearts beat fast and a deathlike silence prevailed. Perhaps we cannot do better than give the following picture of the scene at this eventful moment, from the New York Star—

Judge Boardman * * * was not prepared for so speedy an agreement, and sat like a marble statue with his benevolent eye turned full upon the jury; the jurors were deeply affected by the solemnity of their duty, each man pale with emotion, and evidently struggling between desire and duty; the counsel for the people were differently disposed. Colonel Fellows, with tears in his eyes, played nervously with his cane; Judge Fullerton sat on the steps to the bench, and Mr. Beach, with some degree of agitation, watched carefully the proceedings of the clerk. Mr. Tremaine [counsel for the prisoner] seemed utterly disconcerted. He had anticipated at the worst a verdict of manslaughter in the third degree, but looked confidently for an acquittal. Mr. Townsend sat motionless, and Mr. Dos Passos twirled his moustache.

"Prisoner, arise," said the clerk, and Stokes, pale and nervous, stood up and faced the jury. It was a solemn minute of suspense. The hearts of the spectators, as well as of the principals, beat fast, and a silence prevailed that was almost death like.

"Gentlemen of the jury," said the Judge, "have you agreed upon your verdict?"

Foreman—"We have, your Honor."

Judge—"Do you find the prisoner guilty or not guilty?"

What a straining there was to catch the reply. The eyelids of Stokes blinked rapidly, every nerve in his body twitched. His sister and brother, who had hitherto been merry, were crying, for there was "guilty" written upon the face of every jurymen.

The reply came—

"GUILTY OF MURDER IN THE FIRST DEGREE."

Stokes clenched his teeth, breathed through his nostrils, and lowered his eyebrows almost to overshadow the keen black eyes he possesses.

His sister cried sharply, "Oh," and an expression of pent-up feeling, either of satisfaction or regret, burst forth from every part of the court-room. It was like a low groan.

Stokes turned to his sister and said: "Oh, never mind; don't you cry now." Then he looked bitterly at Beach and said:

"You've done it, haven't ye? I hope you will get well paid for it."

Mr. Beach did not reply, but looked steadily at the prisoner.

They tried to "stare each other out," apparently, but Stokes gave in and said: "Don't you stare at me; you'd better turn your head the other way."

Mr. Beach made no reply.

Assistant District Attorney Fellows made an explanatory speech, in behalf of Beach and Fullerton, and stated that Fisk's friends had nothing to do with their employment as prosecuting counsel. Here we again quote—

At this point Stokes arose and excitedly hollowed out—"No, but Jay Gould did."

He was pressed to his seat by his friends, and there he mumbled something about Jay Gould having bought up everybody.

The Court discharged the jury and the following scene ensued—

Stokes looked at Beach and said, "You've done it."

Beach came up to him and said, "Now, Ed., what's the use of your going on like that?"

"Oh, now, you did; you put perjured witnesses upon the stand, and that's how you convicted me."

"Why what nonsense," said Beach.

Prisoner—"Oh! yes you did, and Jay Gould bought up the jury. They've been seen all of them and worked upon. Don't you cry now (to his sister), but never mind."

Stokes persisted in declaring that the jury were bought up, Mr. Tremaine begged him not to say so, a jurymen declared they could not bring in any other verdict, a reporter objected to any discussion on the matter, a spectator deprecated the idea of a jurymen wrangling with the prisoner, a court officer exclaimed, "Clear that passage there," and the prisoner was hurried out of court, "a much sadder man than when he entered it; a convicted murderer, over-running with passion, vindictive and resolute."

Just at this juncture, when there is a general outcry for a more vigorous and healthy vindication of good and wholesome law, when, possibly partly as a consequence, a prominent New Yorker has been unexpectedly convicted of murder and sentenced to death, and the New York Herald is crying out, "Our Murderers—Let them all Hang Together," this community is in a ferment caused by the recent exposure of cattle robbery on a stupendous scale in the northern portion of the Territory, evidently conducted on a regular and systematic plan for a long time previously. Not that cattle stealing is confined to the north, for there is also considerable in the south, but the north takes the palm for the extensiveness of the operations.

We are very sure that the sentiment of this community is not in favor of the existence of bold, daring, defiant, reckless bands of thieves and other criminals in any portion of this Territory, and that sentiment should be made manifest on the bench, at the bar, among witnesses, and even by the acquaintances of the criminals, as well as by the public at large. It is not in the slightest degree desirable that the dark wave of crime which is spreading over so many portions of the country should also cover this Territory, which, so far as the bulk of the inhabitants is concerned, has made so fair a record. It is the express duty and the highest interest of every citizen not only to frown down crime, but to stand inflexibly by and sustain those who seek to uphold and administer good and wholesome laws with impartiality, so that life and property may be as secure as possible, and those who have property lawfully may not be unlawfully deprived of it with impunity. This is the plain and positive duty of every citizen, official or non-official, and it should be discharged without fear or favor, leaving the result with Providence, and it will work out right. When this course is taken, criminals of all classes will soon become scarce. It is sympathy that encourages and emboldens criminals.

HON. Baptist Wriothsley Noel, whose death was announced yesterday (Jan. 20) was a celebrated English clergyman and philanthropist, a son of Sir Gerard Noel Noel, and a younger brother of the earl of Gainsborough. He was born July 10, 1799. For many years he was a prominent clergyman in the established church, and one of the Queen's chaplains, occupying the pulpit of St. John's, Bedford Row, London. In 1849 he seceded from the established church and joined the Baptists, and afterward became pastor of John Street Chapel, Bedford Row. He was an active promoter of city missions, a movement for the reformation of prostitutes, and various other measures and objects of reform, benevolence, and charity. He was a cold and hesitating speaker until he warmed with his subject. He was also an author, and among his published works are "Sermons Preached at the Chapels Royal of St. James and Whitehall," "Notes of a Tour in Switzerland," "The Gospel of the Grace of God," "Christian Missions," "The Free Church of Scotland," essays on the

"Union of Church and State," on "Christian Baptism," and on the "Eternal Act of Baptism," "Letters on the Church of Rome," and "Protestant Thoughts in Rhyme."

THOSE "cold waves" are working wonders. As reported in our dispatches yesterday, one cold wave from the north-west in Wisconsin brought down the mercury terribly, making it a solid chunk in the globe, and sending the figures down to 45 below zero, and another wave not so cold, from the north-east, in the same State and within two hundred miles of those dreadful figures, let the mercury up to 5 above zero. What sort of waves can we be having here that give us delightful spring weather (except underfoot) and send the mercury up to 55 as yesterday?

THE Great Britain steamship, when built, was the largest afloat, and though for a time stranded and considered lost in Dundrum bay, on the coast of Ireland, she was recovered and has since been a paying investment, having made many successful voyages between England and Australia. A sorry Christmas day it was, though, to his relatives and friends, last December 25 when, on the arrival of the Great Britain at Liverpool from Melbourne, Mrs. Gray, wife of Captain Gray the commander of the steamer, and his family, went down to the landing stage to welcome the gallant captain, husband and father home, but received the heartrending news that he was mysteriously lost overboard exactly one calendar month previously.

Captain Gray was one of that large company of British captains who, if not so outwardly suave and polite as those of some other nations, are capital seamen, vigilantly mindful of their duties as commanders, entirely competent and worthy to be entrusted with any amount of life and property at sea, for which excellent qualities they deserve and receive the esteem of all who travel across the ocean with them.

Captain Gray was a Lieutenant in the Royal Naval Reserve. He made himself very useful in the transport service in the Crimean and Abyssinian wars, for which he received the special thanks of the government. The many passengers who have voyaged with him between England and Australia would receive the news of his death with great regret.

THAT this is a growing and prosperous community there is abundant evidence. It has been so from the beginning, and mainly because of the sterling character of its settlers, who would make any place thriving and prosperous in which they might settle. Most wonderful stories are told abroad of the present prosperity and of the prospects for the future of Utah, all of which we cannot endorse, although it may be truthfully stated that here is a field for the investment of capital and for the application of business talent and tact as good and as safe as any in the western country.

On the continent of Europe, in England, and even in the Eastern States of this country, capital floats about freely at rates of interest varying from 2½ to 10 per cent. per annum, the latter figure being considered high. Here, on unexceptionable real estate security, the common business rate of interest is two per cent per month, or nearly a quarter per cent per annum, while on security deemed not so safe still higher rates are paid. How is it that more of the superfluous or low rated capital of Europe and the Eastern States does not find its way to Utah? Much has already come, but a little reflection will be sufficient for the conviction that where such high rates of interest prevail as do here, a much larger amount of capital could be readily invested with handsome profit to its owners. People in England, who live upon their income from 3 per cent. consols, or other similar investments, would make a handsome fortune by investing their cash in Utah, if only at 10 to 15 per cent. per annum.

The element of security is not wanting in Utah. This Territory was not settled, like some of the adjacent Territories, by reckless, gold hunting desperadoes, the scum and refuse of older communities, but by the most sober, moral, thoughtful, peaceable, industrious, order-loving, God-fearing community in the whole world, the pick and choice of the best communities in the most enlightened and civilized nations of Europe and America, and, notwithstanding recent accessions of a very different character, the principal portion of the population still retains the

sterling character of the original. Consequently this community is one of the most stable and trustworthy in existence, in spite of the unpatriotic, demagogical, illegal, bigoted, and suicidal course of some of the carpet-bagging fraternity of Federal officials with which the Territory is afflicted, who, although they may be apparently sustained by high Federal authority, are not countenanced by the good sense of the people of the nation at large, and whose disgraceful official conduct consequently will eventually recoil in anything but blessings upon their own unworthy official heads. For there is a large and intelligent and influential portion of the citizens of this great Union who wish to see Utah continue to prosper and who will oppose the disloyal and disreputable actions of hot-headed or fanatical partisans, so that these will fail in the future as they have in the past in their selfish intrigues and schemes, and will end in being covered with merited shame and the contempt of all good, loyal, honorable citizens.

Once more, therefore, we urge that Utah presents an inviting field for the investment of distant and foreign capital, and the more generally and extensively distant and foreign capitalists and solid business men make investments in Utah the more stable and steady and sure will be her prosperity and the more secure will property and life become, for the good and sufficient reason that capitalists and trustworthy men of business are of a conservative turn and are among the last persons to favor revolutionary intrigues and party or political conspiracies against the common rights and privileges of the citizens, being vitally interested in the maintenance of peace, order, and good government.

THE Right Honorable Stephen Lushington, whose death was noted in our yesterday's dispatches, was a distinguished English statesman and jurist. He was born in London in 1782. He was graduated at All Souls College, Oxford, of which he was a fellow, and in 1806 was called to the bar at the Inner Temple. Two years afterwards he became an advocate at Doctors Commons and received the degree of D. C. L. He entered Parliament in 1807 and left it in 1841, during his long parliamentary career advocating the prominent measures of the liberal party. He had a high reputation at the bar as a civilian and was one of the counsel for the defense of Queen Caroline in the trial consequent upon the bill of pains and penalties introduced against her. In 1828 he was appointed judge of the consistory court, and in 1838 judge of the high court of admiralty and a privy councillor. Besides other minor offices he also held those of chancellor of the diocese of London and Rochester, and commissary of Westminster, Essex and Herts. He was another member of that numerous list of intelligent and active English gentlemen who have exceeded the patriarchal term of three-score years and ten.

NOT EXPLICIT.—Mr. Joseph E. Taylor, City sexton, received a telegram this morning from one of the U. P. R. R. officials, informing him that the remains of a deceased person had been consigned to that company at Omaha, to be forwarded to Mr. Taylor. The telegram stated that the Company were not willing to forward the remains unless Mr. Taylor would become responsible for expenses. The latter was rather at a loss to know who the parties were that were interested in the body and was therefore in somewhat of a quandary as to how he ought to act in the matter. He purposed telegraphing at once for further particulars.

FROM ENGLAND.—In a letter, received by a gentleman in this city, dated at Trowbridge, Wiltshire, England, Jan. 2nd, Elder Mark Lindsey states that he never enjoyed himself any better in any part of his life than during his present visit to England, and never before felt so excellent or powerful a spirit in bearing testimony to the divine authenticity of the Latter-day work. He had visited many branches of the church, and, although the Saints were generally poor, he thought a considerable number would be enabled to emigrate to Utah next season.

Brother Lindsey says he had not seen one whole day of fine weather since his arrival in England, and he had been informed that there had only been about fifteen such days during the whole year, and that a large amount of the lower land was, at date of writing, submerged by water, especially in Gloucestershire, Worcestershire and Oxfordshire. A great amount of grain was destroyed in the ground last fall, on account of the damp. Taxation is very high in England at present, and poverty is generally increasing.