

EDITORIALS.

THE FISH AND GAME LAW.

By request, we reproduce below the fish and game law, as amended at the last session of the legislature. Soon after the adjournment of that body the News published what purported to be the law as newly amended, but the copy furnished us was incomplete, and consequently appeared to be in part nugatory. The editorial remarks made upon the subject at the time were due to the misunderstanding occasioned by the incomplete copy of the law which we used. By our reproducing the statute entire our readers can see for themselves what its provisions are, and one or two correspondents, who have lately inquired of us concerning the law, will be answered. Here is the statute in full:

An Act Supplemental and amendatory to Chapter VI Session Laws of 1884, entitled "An Act for the Protection of Fish and Game."

SECTION 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

1. That every person who between the fifteenth day of March and the fifteenth day of September in each year, willfully takes, kills, destroys or offers for sale any kind of wild geese or wild ducks; or who shall at any time rob the nests of the above mentioned birds; or who shall kill any wild geese or ducks between one hour after sunset and one hour before sunrise shall be guilty of a violation of the provisions of this section.

2. Any person who shall within four years, kill any bird of the kind generally known and designated as imported quail, or who shall have the dead bodies of any such birds killed within this Territory, in his possession within the confines of the Territory of Utah, shall be guilty of a violation of the provisions of this section.

3. Any person violating the provisions of this section shall be fined in a sum not less than ten nor more than fifty dollars.

SEC. 2. Every person who between the 15th day of November of each year and the 15th day of August following takes, kills or destroys any deer, or who shall at any time kill any of the above animals for their skins, is guilty of a misdemeanor.

SEC. 3. Every person who puts into the waters of this Territory any poisonous substance, giant powder or other explosives, upon conviction thereof, shall be fined in any sum not less than one hundred dollars or imprisonment not less than one hundred days, or may be punished by both fine and imprisonment.

SEC. 4. It shall be a misdemeanor to take out of this Territory any game taken or killed within its boundaries.

SEC. 5. The county court of each county of this Territory shall appoint a fish and game commissioner, whose term of office shall be for two years and until his successor is appointed and qualified; said commissioner shall, before entering on the duties of his office, take and subscribe to an oath of office and give a bond in the penal sum of one thousand dollars for the faithful performance of his duty, said bond to be filed with the probate judge. The commissioner shall receive such compensation as shall be determined by the county court, to be paid out of the county treasury, and shall perform his duties under the direction of the county court.

It shall be the duty of the commissioner to see that all laws of this Territory for the protection of fish and game are faithfully enforced, and shall report his doings to the county court quarterly. All fines and forfeitures for violation of the provisions of this Act shall be paid into the county treasury of the county wherein the offense shall have been committed.

SEC. 6. That sections 1 and 2 of Chapter VI Laws of 1884 be and are hereby repeated.

Approved March 8, 1888.

THE BETTER WAY.

The injunction dispute in Ogden City ought if possible to be settled by friendly arbitration without going farther in the courts. The City Council, in order to economize and facilitate the grading and grading of the streets—a very expensive and laborious proceeding in the Junction City—purchased a locomotive, and commenced tracklaying on Pearl Street, for the purpose of operating their gravel line by steam. To this some of the citizens on that street objected, and one of them sued out an injunction against the city, which was granted temporarily.

It appears that the citizen who figured as the "objector to progress," merely acted as the representative of others, who did not come to the front but who objected in private as strongly as he did in public. At the first contact in court the City lost the fight. The demurrer interposed by the city attorney was not sustained. The Judge gave a written and learned opinion, which appears to be sound, in the light of the law and the precedents.

This has not decided the matter, though. The case has yet to be heard on its merits. The opinion of the court is merely that the plaintiff has presented a sufficient ground of action. But enough was developed in this pre-

liminary tilt to show that it is probable the City may be defeated, through lack of power in its charter to authorize it to operate a steam railroad. Granting the right of way to railroad companies, regulating their traffic in the streets of a city, and providing what precautions must be taken by those companies, are altogether different to the construction and operation of a railroad by the municipality itself. Power is undoubtedly given to cities in their charters for the former, as to the latter the authority is extremely doubtful; one is admitted, the other is disputed.

From later developments it appears that many if not all of the objectors to the road on Pearl Street, Ogden, are willing to concede something to the city for the public good, while they resent the arbitrary seizure for railroad purposes of the street on which they live. They resist what they deem an encroachment upon their rights, and are offended at the apparent ignoring of those rights by the municipal authorities. It is probable that a friendly conference between them and the City Fathers would lead to an amicable settlement of the difficulty. This would be much better than fighting the matter in the courts.

In view of this, would it not be better for the City Council of our northern neighbor to take immediate step for arbitration? So it seems to us. We do not wish to interfere in any of the affairs of Ogden or other municipalities, but only suggest what appears to be for the public good. Mutual understanding is better than disputations, and a peaceable settlement of a difficulty is better than litigation. This is certainly true in private matters, and we believe will hold just as good in the public affairs of a city, of a county and even of a nation.

BEHIND THE SCENES.

The New York Mail and Express thus describes an incident of exquisite pathos, which lately occurred:

"The inexorable fate which calls the actor to the service of the public under circumstances which in other professions entitle a man to sacred seclusion, has long been a sympathetic comment. The grief which crushes men is often hidden beneath the make-up of the footlights, while the public laughs at a man whose heart is breaking. A notable instance of this pitiful situation was present, but unknown to the audience, at Harrigan's Theatre last evening, on the occasion of the first performance of the new play, 'Waddy Coogan.' In this Harry Fisher, a favorite member of the clever company, impersonated an Italian, and played his part so well as to win the applause of the house.

During the afternoon only a few hours before Mr. Fisher made his appearance on the stage, he stood beside the body of his wife, who had just died, and to whom he was devotedly attached. Mrs. Fisher died at her home in Jersey city. Her death was unexpected to her husband, and it occurred at such a time that he was compelled to perform his part last evening, having made no provision to supply Mr. Harrigan with a substitute.

While before the audience the bereaved actor displayed no evidence of his deep sorrow, when in his own dressing room at intervals he could not refrain from violent bursts of grief. He had the active sympathy of the whole company. His wife will be buried tomorrow.

"THE DARK SECRET."

A DANISH vessel has picked up at sea and brought safely to shore, the solitary occupant of a small vessel which had to be abandoned. It was the *Dark Secret*, which sailed from Boston June 18, commanded by Captain Andrews and bound for England, which he expected to reach in forty-five days.

The *Dark Secret* was a 12-foot dory, the smallest vessel that ever attempted the voyage. It was duly provisioned but not duly manned, for the venture some Captain was the only human being on board. He is an old sailor and once crossed the Atlantic, with his brother Asa in company, on the *Nautilus*, a 19-foot dory, making the trip in forty-five days. This was in 1878.

Captain Andrews, took provisions for a hundred days this time, and provided himself with rubber envelopes for messages, which he promised to send as opportunity offered, and a cork buoy with flag attached to support a sealed package in case of accident to the dory.

After the *Dark Secret* set sail on June 18 she was not heard from until June 23, when the fishing schooner *Ada B. Terry* spoke her ten miles southeast from Cape Cod. Four days later the steamer *Kansas* came into Boston and the captain said he had passed the little dory that morning seventy miles east of Highland Light. Her sail was down and it looked as though the skipper were repairing his boom. Two days later the dory was spoken sixty-five miles from Boston Light at 10 o'clock in the morning by the pilot boat *Hesper*, of Boston. Captain Andrews was in good condition and said he had been detained by heavy easterly winds and had been driven backward in his course. He said his ship ought to have been named *The Jowls*.

About noon of July 2 the schooner *Springbird*, of Provincetown, sighted the *Dark Secret* in latitude 42 north, longitude 69 west. Captain Andrews said he had lost his rug and was obliged to sleep in his sail. His lantern was broken and he had not had a square meal in three days. He was supplied with what he needed and sailed on. On Friday, July 6, the pilot boat *Hesper* ran across the little boat about one hundred and thirty miles from Boston Light. Capt. Andrews saluted by firing a pistol. He was in excellent health and spirits. Sunday, July 8, found the little craft on the northwest part of George's Banks. The schooner *Laura Nelson* remained alongside for nearly an hour and supplied Capt. Andrews with a can of cod-liver oil, a jug of water, some rope and a lantern. July 11 Pilot Murphy, of the pilot boat *American*, spoke the little traveler about four hundred and thirty-two miles from New York. The next day Capt. Jungst, of the German steamer *Emu*, spoke the *Dark Secret*.

On July 19 the German steamer *Seale* spoke the little vessel five hundred miles out, and all was well on board. The steamer *India* passed the tiny craft on Aug. 1, and it was then eight hundred and sixty-four miles on its course. Capt. Andrews refused any assistance, saying that he needed none. The little ocean traveler was next seen on August 10 by the steamer *Bulgaria*. Captain Andrews was well as before and needed nothing. He was about 1,400 miles on his journey, or just about half way across.

By these vessels Capt. Andrews sent messages to the New York World through which the American public were kept informed of his whereabouts. It is supposed that adverse winds and heavy weather prevented his communication with homeward bound steamers after the above date, and it now appears that his attempt was a failure. He was out far longer than he anticipated and did not reach port after all. The particulars of his abandonment of *The Dark Secret* have not been made public, but it seems sure that a 12-foot dory is too small a craft on which to make a safe voyage across the broad Atlantic.

The venture of Capt. Andrews has served no good public purpose, so far as we can perceive, still we are glad that he has escaped with his life. If he had succeeded he would have been lionized on two continents, and his little ship would have brought him considerable money by exhibition. But it is not likely that if he had made port within the time he specified, such navigation would become either popular or useful. His attempt was of a similar nature to that of other risks, such as swimming rapids, jumping from bridges and various rash acts, by daring persons, of a sensational character, and if it does not place its author in the catalogue of cranks, certainly does not rank him with the heroes of the world who endangered their lives for the good of others.

A QUESTION TO THE FAIR MANAGERS.

We would like to ask the Executive Committee of the D. A. and M. Society if they intend to permanently shut out the public from a view of the Tenth Ward Square. If a close, high board fence, such as we are informed is contemplated, is erected around the entire block it will become an eyesore instead of an ornament. The splendid building they are putting up ought not, in our opinion, to be so obscured from the public gaze that no one can see its beauty unless within the enclosure.

Of course during the fair it is desirable that no one but those who pay for admission shall enter upon the grounds. But the people in the neighborhood say they will be willing to pay for guards to keep out intruders if the square is not enclosed in the manner intended. There is considerable feeling about it and some of the residents near by say they would be willing to subscribe liberally for an iron fence, or other enclosure, that would not spoil the view of the square. The Tenth Ward Square has a most disreputable appearance. The old, ugly board fence, used as an advertising medium by bill-posters, is no proper enclosure for a public square. How can the Tenth Ward be protected from a similar nuisance if the square is shut in by a similar contrivance?

We ask the Committee to consider this matter, and if they can consistently change their plans to suit the wishes of the people who will be most affected, they will please the general public and make a thing of beauty instead of a repulsive obstruction of the fence around the Exhibition buildings.

MIGRATION TO MEXICO.

The eastern press seem determined that the "Mormons" shall move to Mexico. It makes no difference what is said by those who know the situation. The fabrications of reporters are taken for facts and commented upon with the utmost gravity, and it really seems that many editors would rather aid in spreading falsehoods, when they relate to the "Mormon" question, than furnish their readers with the truth.

A New York reporter has learned that a "definite plan of immigration

has been organized" here, and that the faithful Saints, "whether they prefer to go or not, are being removed to their new home by a system of deportation." This is the method, as he describes it and as copied into quite a number of newspapers:

"The names of all the male members of the church are thrown together in a box and then drawn out. Every tenth name is marked for departure to Mexico, and after the drawing has taken place, every tenth man gets a notice, and a certain length of time in which to dispose of his worldly possessions and take his departure is allowed him. Many of them object to the emigration, even after they are drawn, but the order of the Church is imperative, and they are threatened with eternal damnation unless they obey instructions."

All this is sheer invention. In the first place there is no extended movement on foot for an exodus of "Mormons" to Mexico or elsewhere. Our people have not even contemplated an abandonment of this Territory, where their material interests are centered and where they have settled to stay. In the second place, no such means as indicated in the foregoing paragraph are or have been employed in the settlement of any place which the Saints have located. In the third place, threats of "eternal damnation" are not employed in this Church to scare or coerce anybody, and the "Mormon" people are about the very last to be influenced by such pretences. When they move their residence it is because they desire to do so or are compelled by the force of circumstances over which they have no control.

The extent of territory said to have been purchased in Mexico through "a New York syndicate" is about as broad as the reporter's imagination—four million acres, and if it is as fertile would prove a productive spot for any colony that might settle upon it. There are a few "Mormon" settlers in Mexico, but there is no extensive colony of our people there nor any prospect of a migration from the pleasant vales of Utah. Will our esteemed contemporaries east and west make a note of this, and cease to make themselves ridiculous on the rumors about a "Mormon" movement to Mexico?

THE FAILURE OF FORCE.

The Memphis News, commenting on recent events in Utah, expresses a doubt as to any good effects from anti-"Mormon" legislation unless "milder measures" are employed, and says, "something more is needed than laws and cannon balls to make an end of Mormonism."

The News quotes, as follows, from an article in the *Andover Review*, written by a Congregational clergyman who has lived for some time in Utah: "These legislative and judicial movements have acted upon 'Mormonism' largely as a centripetal force, and through a common sympathy and fear have bound closer together the hearts of the Saints." The News says: "Such is the effect the persecution or governmental opposition to private opinions will always have."

These remarks are sound and based upon the lessons of history furnished from all the ages. Toleration and kind treatment are greater forces in the extirpation of heresy than all the edicts of ecclesiastical courts, the statutes passed in a spirit of oppression, and the penalties inflicted to coerce conscience. And in this enlightened age, honest opinion, however mistaken it may seem to be, ought not to be assailed by anything more than reason and argument, unless it is made dangerous by acts that infringe upon human rights.

Excessive and harsh measures, extended beyond the legitimate bounds of law and judicial usage, cannot long continue where public sentiment is the prevalent influence. In government. Such efforts to suppress conviction must necessarily be spasmodic, and though in the dark ages they may have been sustained for a lengthened period, yet in these later times they must, whenever adopted, soon subside before the march of enlightenment and the spirit of justice and humanity.

Those who demand force for the immolation of faith, and cry for relentless and coercive measures against the votaries of what they deem a false creed, are not among the friends of progress, but their sentiments are relics of the barbarism which has drenched the earth with the blood of the martyr and fed the fires for human sacrifice in days that were dark with bigotry and hate. They are now only restrained by a public opinion which has been changed by the progress of truth, and would again bring forth the rack and the gibbet, if the world at large had not grown too merciful and wise to permit their reascendancy.

It is bad policy as well as bad morals to attempt to stamp out principle with the iron boots of oppression, or to try to batter in a head because it entertains inorthodox opinions. The testimony of the centuries unites as to its failure and the experience of the present affords ample corroboration.

Berlin, Sept. 17.—Count Kalnoky, the Austro-Hungarian prime minister, has arrived at Hamburg.

THE APPROACHING FAIR.

The premium list for the Utah Territorial Fair, to be held in this city near the beginning of next month, is out. It covers a great deal of ground and admits of competitive exhibits connected with all the industrial pursuits.

The committee are working with intelligence and energy to make the fair a gratifying success, and their efforts should be seconded by the people. We believe they will be. Indeed the evidences pointing that way are already quite abundant, the special premiums offered by individuals and firms being quite numerous and liberal. The main factor of success needed now is exhibitors. If the people will do as they should in this regard the forthcoming fair will not only be far in advance of any previous exhibit of the kind ever placed before the public in Utah, but will be of a character that cannot be approached for excellence in this inter-mountain region. In some of its features it can be made equal to anything of a similar character anywhere in the world, with special reference to certain varieties of fruits and vegetables. In the matter of minerals Utah is not far in the rear of any other section, and in relation to cattle she is moving steadily forward, while in the arts she is "plodding nobly onward." We have some of the ablest mechanics in some lines in Utah that can be found in any part of the country. Their productions should be forthcoming.

Let us have a fair that will be credit to one of the most industrious communities in the land; one that will be a correct exposition of our material status.

A CORROBORATIVE DISCOVERY.

A short time ago the Washington Post made a remarkable statement regarding the location of the Garden of Eden. It announced that Dr. Campbell, of Versailles had lately discovered that it was on this continent, and near where St. Louis now stands. That gentleman, according to the Post, asserted that the Mississippi River is the Euphrates of Scripture, and "that the Bible furnishes evidence of the correctness of his conclusions."

It is probable that Dr. Campbell is not aware of the fact that he is not the discoverer of what he now announces, the Prophet Joseph Smith having many years ago stated that the Garden of Eden was located in what is now known as the State of Missouri. The Prophet also pointed out the precise spot where Adam offered sacrifice to the Lord, and where, as the great patriarchal head of the race, he blessed his children previous to his departure from the earth. That sacred spot in Missouri was designated by the Prophet as Adam-ondi-Ahman, the meaning of which is—the land where Adam dwelt.

Joseph Smith obtained his information of these facts by direct revelation, while Dr. Campbell doubtless reached his conclusions in reference to the Garden of Eden and the Euphrates by ordinary research.

THE TENTH WARD SQUARE.

It appears that the Tenth Ward Square is to be only partially enclosed by a high board fence. The D. A. and M. Society do not intend to shut out their fine building from the public eye. That elegant structure stands in the centre of the square. The east half of the grounds will be enclosed by a high, close, board fence, and that will form the back of the sheds necessary for stalls for the animals, etc., which will be on exhibition.

The fence will run along the east side of the square and halfway on the north and south sides, then run north and south to either side of the centre of the building. This will leave half of the building outside the high fence. The grand entrance is on the west, and the public, entering by it, can proceed through the building either to the right or the left into the enclosure.

The west half of the square is to be enclosed by a neat, ornamental picket fence 3 ft 6 in. high. This will give an uninterrupted view of the building and the grounds on the west. And as the main thoroughfare to Liberty Park is on the street west of the square, the arrangement made by the Society appears excellent.

The idea went abroad that the whole of the square was to be enclosed with the high, close fence and it occasioned much objection and great regrets on the part of the people living in the vicinity. This explanation we hope will create a different sentiment, all things considered we do not see how the arrangement can be improved.

The entire public should be interested in the success of the fair and of the work which the Society is performing. We hope the managers will receive general and hearty support, for what they are doing is for the welfare of the whole community and is not affected by questions of party, politics or creed.

President Cleveland sent his check for \$200 to the Jacksonville sufferers. That is a good example for all the presidential candidates to follow.