

EDITORIALS.

WOULD RATHER GO TO PRISON.

THE New York *Sun* of April 6 reports the case of John Bingham, who had two wives and was on trial therefor before Recorder Hackett, of that City. Wives No. 1 and 2 were in the court room. Clerk Sparks said to the defendant, "Are you guilty or not guilty?" The defendant promptly answered, "Guilty." District Attorney Nolan, surprised at the plea, asked Counsellor Kintzing to consult with the defendant and to advise him. The counsellor cross-examined the defendant who still insisted upon his plea of guilty. The following colloquy then ensued—

"Mr. Kintzing (addressing the Court)—Your Honor, I think this man has had punishment enough from his two wives, and that should be taken into consideration in passing sentence.

"Recorder Hackett—Prisoner, which would you rather have the Court do—discharge you to live with your two wives, or sentence you to the State prison for three years?

"Prisoner—Your Honor, send me to State prison for mercy's sake!

"Recorder—I grant your request, and send you to State prison for three years at hard labor."

The trouble with Mr. Bingham appears to have been that he married the second wife as committing a crime, morally and statutorily, believing in and accepting it as such. Consequently he found that the way of transgressors was hard, as the Bible says.

If he had married more than one wife, he and they fully believing in and accepting such marriage as of Divine origin, as an integral portion of their religion, and as an essential portion of the plan of salvation, the case would have been materially different, as every body can understand, and he would rather have endured his cross, so much as it might have been a cross to him at any time, outside than inside the prison walls, and have endured it gladly, despising the shame, so far as anybody might cast any shame upon him therefor, for the joy that was set before him in the Gospel of Jesus Christ.

If these had been the circumstances of this case, then the defendant might have been adjudged guilty of a crime *malum prohibitum*, a mere statutory offence, an act made criminal by legislative enactment only, merely a crime technically, for human laws are often imperfect, but he would not have been guilty of a crime *malum in se*, a crime in and of itself, a crime morally and essentially.

Assault, theft or murder is a crime, morally, essentially, as well as statutorily, always morally, but not always statutorily. On the contrary, marriage, when honorably entered into by the high contracting parties, may be made an offence statutorily, but it never can be made a crime morally and essentially. So far from that, it is one of the most pure, sacred, noble, and exalted transactions with which human beings can have anything to do. It was originally and expressly commanded of God, was emphatically enjoined and has been signally blessed of him, and, as the Bible says, it "is honorable in all."

THE LICENCE OF JOURNALISM.—For malignant, mendacious, and slanderous personalities the American press stands in the front rank, and prominent in this front rank stand those few individual journals whose chief stock in trade is abuse of the "Mormon" people. These Arabs of the press would do themselves a favor by taking to heart the following comments from the New York *Herald* upon the subject in hand—

"Our journalism is too personal, and has a bad tendency to grow worse and worse in that direction, and if the moral tone of public opinion is not sufficient to correct this tendency the press itself must seek protec-

tion from its own bad elements in more stringent libel laws."

The Pittsburg *Commercial* endorses the above quotation in this wise—

"This is pertinently said, and we are glad to see the *Herald* at length assuming the same ground which we have all along occupied with regard to the liberty as contradistinguished from the license of journalism."

Those are our sentiments, exactly.

BAD WORK AT THE ELECTION.—The Cincinnati *Gazette* talks in the following condemnatory strain concerning the election at that city on the 5th of the present month—

"Never in the city's history have the rights of the ballot-box been so shamelessly violated; never has the police been so prostituted to the demands of the executive; never has intimidation been resorted to so openly and so unrebukedly."

The *Gazette* gives the following as a sample—

"Here is a specimen scene: Time, Monday noon; scene, Ninth Ward polls. A citizen says: 'I challenge that man's vote,' the vote having got already as far toward the ballot-box as the judge's hand. 'What for?' 'Well, swear him, and he'll find out.' 'Mt. Voter is sworn. 'Now, where do you live?' asks the citizen. 'Shelby County,' answers the voter, as he takes back his vote and walks calmly away. No arrests, judges complacent, and a couple of policemen grinning."

LIQUOR LAW.—Massachusetts has long been troubled by liquor laws, chiefly prohibitory, and has found them unsatisfactory. She has now adopted a stringent license law, which is thus spoken of—

"Massachusetts after tinkering with prohibitory liquor laws for years has finally adopted a stringent license law. Among its provisions is one that no sale or delivery of liquor shall be made to a person known to be a drunkard, or to an intoxicated person or to a minor; and another that in case of damage done by an intoxicated person the liquor dealer is made liable, and he is further subject to damages should he persist in selling liquor to a person habitually liable to intoxication, after warning from a husband, wife, child, guardian or employer."

CRIME IN ENGLAND AND AMERICA.—Recent reports go to show that crime of late years has decreased in England, although the manifestations of it in some special forms may have increased. On the other hand, in the United States, crime has increased, according to the following from the New York *Journal of Commerce*—

"The opinion that the commission of crimes, especially crimes of violence, has of late years been on the increase, beyond proportion among persons under full age, is supported by American statistics, notably by those embodied in the recent annual report of the Board of Inspectors of the Eastern Penitentiary of Pennsylvania. A set of tables, covering a comparison of four different terms of years, show a considerably greater increase in the number of crimes committed by youths under twenty-one than in the total amount of crime."

A RIVAL FOR THE BEECHER SENSATION.—A New York paper says that canal reform is the reigning sensation of the day in that State, that Governor Tilden's message on the canal frauds has produced a prodigious sensation, that people of both parties are discussing it with an eagerness and enthusiasm denied to every other subject, that it is influentially pronounced the most vital topic of the time, that it is riveted upon itself the absorbed attention of all the people in the State, that never was public sentiment more united and resolute on any question, that the Governor's pen has been a magician's wand causing canal re-

form to dispute room in the press with the Beecher trial.

NATIONAL BALANCE SHEETS.—The Cincinnati *Times* thus presents some little matters of national importance—

"England's balance sheet shows very handsomely this year. The revenue exceeds the estimate by \$2,395,000, and the expenditures fall below the estimate by \$3,180,000. It has been our misfortune, of late, to reverse this pleasant order of things."

A LITTLE MORE ABOUT THAT CHARGE.

THE first available opportunity we devote a little more space to that charge (Boreman's) in the Second District, and we shall aim to be brief, so as to soon get rid of it, for it is not a pleasant subject.

The Judge implies that the people of Utah will not enforce the laws, but continually act hostilely to the general government, to federal authority, to the principles of justice, and almost daily misrepresent and vilify the government and its authority and its officials, with much more of the same sort.

That may or may not be the Judge's opinion. It is his assertion. We may also give our opinion, and it will be worth as much at least as his, because we know more thoroughly what we are talking about than he knew what he was talking about. We therefore say that we do not believe there is a single enemy to the federal government who has a right to be considered a Latter-day Saint. On the contrary, the people to whom that name properly applies are the greatest friends of the government.

That most of the community do pointedly disapprove of some of the acts of certain persons in authority, there is no cause for denying. The community would be recreant to the principles of American government, to truth and justice, if they did not so disapprove. Their disapproval is a thing to be proud of rather than ashamed.

All that the people of this Territory ask is justice. Further than that, they are not in the field for official favors.

The Judge informs the jury that if they do as he says, further repressive legislation will be saved, otherwise it will come from Congress.

O! Was the Judge deputed to threaten the people here with further repressive and oppressive legislation, in case the juries did not find to please him? This is a most extraordinary position for a judge to take. The general idea of a judge's duty is to administer in the law, not to make it, not to threaten the people with further proscriptive laws unless they do thus and so, according to his notion. But Utah has had some extraordinary judges, and of course they must do some extraordinary things, to preserve the unities.

The charge then rambles on extensively in the domain of polygamy and bigamy, which is becoming such a hackneyed subject that one is almost tired of discussing it. The Judge's view of this subject is a peculiar one, and may be sufficiently indicated by some of his words and phrases, such as "polluting effects," "wild animals," "degrading and beastly," "level of the brutes," "savages," "drudge and a slave," "gratifying slavish passions," no "charms of love," no "home," "negligence of families," "prevalence of vice," "general degradation," "loathsome crime," "degrading offence," "corrupting qualities," "offensive practice," "hideous monster," etc.

These are the strong points in the Judge's argument, but they are points in which we need not follow him. As they are in large part imaginative, they refute themselves. They are of the hyperbolic nature of the language of romantic young schoolmisters. They can be used just as effectively against any other system, requiring, as he uses them, a base of the most shadowy character only.

The charge enlarges upon "blood-atonement" in a similar style. We are not the sort of men who delight in blood, and therefore we say as little as possible about it. It is scarcely ever in our thoughts.

Those people who believe in the justice of capital punishment for crime believe in "blood-atonement" as much as we do.

We may reproduce one passage from the charge—

"Some talk about polygamy as a part of their religion. So far as the more intelligent are concerned, this is the silliest nonsense. They do not think it to be so."

This means that polygamy is not a part of the religion of the "Mormons," and intelligent "Mormons" do not believe it is.

How does the Judge know this? How does he know what points the "Mormon" religion embraces? Who accepts him as a competent and authoritative teacher and expounder of the "Mormon" religion? Has he embraced it? Has he been ordained to any office in that church? If not, why does he presume to tell a jury what is or what is not a component part of that religion? Verily, judicial presumption in the Second District is great and versatile.

But the Judge knows more. He not only knows that polygamy is not a part of the "Mormon" religion, he also knows that "intelligent Mormons" do not believe it to be such. The judge is a knowing gentleman. His knowledge of "Mormonism" and of the secret thoughts of its votaries is wonderful. But what is his standard of intelligence as applied to them? Does he consider us intelligent? If he does, and he were to say of us that we did not believe, etc., as above, it would be in our power, if not in our disposition, to apply to him a term not expressive of his veracity.

Whom does he consider intelligent among the "Mormons?" Any of the First Presidency? Any of the Twelve? If none of these, then whom else?

But we will not pursue this theme any further, for the further we go the less claim to intelligence does the Judge seem to have, and we do not wish to waste our time in pursuing him to the verge of the unintelligible. Therefore here we take leave of him and his curiosity of a charge, hoping that his next effort will do more credit to both his head and his heart.

MRS. S. ON A TROPICAL SUBJECT.—Apropos of the Plymouth Church slobbering propensities, Mrs. Jane Swisshelm gives her views on kissing. She says that many women feel that men need to be petted and kissed like children, that in her hospital experience during the war, among thousands of men, she met but one who seemed to need kissing, and he was a dead man in his coffin, and she kissed him, in the presence of four other men, all dead and screwed fast in their coffins, and reflection teaches her that she did all the kissing required of her, all that could have been of use to the men. But she fails to show wherein she was required to indulge osculatorily so far as she did, or what possible use her indulgence instanced was to either of the five men referred to.

Mrs. S. goes on to say that Mrs. Moulton should have seen the famous Brooklyn preacher in a similar condition, ready for the undertaker, before she had given him that sympathetic token. Mrs. S. concludes that "only in his coffin is it safe for even a section of a Day of Judgment, in the shape of a woman to kiss one man in a thousand."

That is a unique condition on which Mrs. S. dispenses her osculatory favors. A pretty thing it is for a man to have to get into his coffin every time his lips must touch those of a member of the other sex. Mrs. S. need not lay the flattering unction to her soul that she will be troubled with many candidates for her sympathetic favors on those ungracious terms.

However, those girls and women who adopt Mrs. S.'s policy will find it a remarkably and undoubtedly safe one. It has the double merit of being slow and sure.

THE MORMON PEOPLE.—The *S. F. Chronicle* of April 14 says—

"For the energy, industry and perseverance that made the Mormon people endure their long and weary exodus from their old homes

to build up new ones in the desert, and for the patient toil expended in this wonderful work, we may admire them."

The rest of the article, being based upon false premises, necessarily is incorrect in its conclusions, and is not worthy of further notice.

Local and Other Matters.

FROM TUESDAY'S DAILY, APRIL 20.

Found.—The young man who lately escaped from the Insane Asylum was found yesterday afternoon and returned there by Sheriff Taylor.

Break Down.—A wagon loaded with bricks broke down on East Temple Street to-day, in crossing the street railroad track. A hind wheel and the axle-tree were smashed.

Died at the Hospital.—We are informed by the Superintendent of the Insane Asylum and Hospital, that a man named Hamilton Stewart, a native of Scotland, aged 43 years, died at the hospital last Sunday.

Lamanites at Meeting.—About fifty Indians attended meeting at the 16th Ward School-room, on Sunday afternoon. They conducted themselves with decorum and partook of the sacrament. All of them appeared with clean faces, having washed the paint from them.

Accident.—Last evening Master Charles Crockwell, son of Dr. Crockwell, jumped upon a passing wagon, when his foot caught in the wheel, which turned a couple of revolutions with him hanging to it, dashing him twice upon the ground. The result was the wrenching of his knee out of joint and several bad bruises about the body. The driver was in nowise blamable.

Mining.—We are permitted to extract the following from a letter written at Pioche, under date of April 10th, to a gentleman of this City:

"Raymond and Ely have commenced shipping 50 tons of ore per day, and are going to start two of their mills at Bullionville. They have struck a rich body of ore at the 800 feet level and talk of putting 100 or 150 more men at work as soon as they start the pumping machine, which will be about the first of next month.

The Centennial.—The Nevada legislature appropriated \$20,000 to represent that State in her mining interests. Messrs. W. S. Stewart and Jeremiah Miller, of Nevada, will erect a mill with five stamps at the Centennial Exhibition, and five tons of gold-silver quartz, from Nevada, will be crushed, amalgamated and run into bullion every day during the exhibition. Mr. J. A. Robertson, who represents the mineral cabinet of California at the Centennial will exhibit specimens of ores from all the mines from the latter State.

Rowdyism.—Last night a number of young men, apparently under the influence of liquor, set up a terrific hooting and yelling in the 10th Ward. They smashed the window of Mr. George Chandler's butcher shop, and George, being near by, and thinking that "one good turn deserves another," did his smashing on one of their heads. The same kind of a crowd made havoc among foot bridges and gates in the 11th Ward, on Saturday night.

It is a pity that so many incidents of this nature occur and the guilty parties escape the punishment they so richly deserve.

A Genuine Case of "Hari Kari."—This morning Mr. Geehr arose from his bed before daylight, at his residence, next house east of the Richards building, Second South Street, and went to the Antelope restaurant, on the same street, of which he is proprietor. A young man named George Osborne was sleeping in a back room of the premises, and was partially aroused from his slumbers by Mr. Geehr calling to him and telling him to get up, but being drowsy he paid but little attention to him till he came and lay down on a couch in the same room. When Osborne was greatly shocked on looking up and seeing Mr. Geehr apparently in great distress, and with his hands covered with blood. He soon discovered that he had stabbed himself in the abdomen with a huge