

tute a decided wrong to the people so drawn upon; but if the jury were misled as to the facts, or for any other cause did not do the accused justice, as nine-tenths of the people in England as well as the United States seem to believe, then an outrage upon a defenseless woman amounting to a scandal upon British jurisprudence and a blot upon the civilization of the world has been perpetrated.

In a recent issue of the *Review of Reviews* (London), its editor, Mr. Stead, has an article entitled, "Ought Mrs. Maybrick to be Tortured to Death?" In the course of which he says that he and Sir Charles Russell have received from South Africa copies of a deathbed confession which in substance exonerates the prisoner, and claims that if the document have no other value it will serve to show the travesty of justice which has taken place regarding her. Mr. Stead demands that if Home Secretary Asquith will not hear the case, then Foreign Minister Roseberry and Mr. Gladstone must; the woman must be released before Christmas or she will die where she is. There has been the sincere hope that the efforts being made on both sides of the Atlantic could not fail to secure her pardon or at least the amelioration of her punishment. Whether the throwing of this new side light upon the case will help or retard its settlement remains to be seen.

A SERIOUS SITUATION.

This paper recently referred to the situation of the Homestead strikers, the charge against them making it already one of the celebrated cases of the country—treason. In his charge to the grand jury, Chief Justice Paxson gave a most learned and perspicuous exposition of the crime named, explaining its elements and pointing out its features; it was unusually lengthy, comprising about 5000 words, and was considered by the local bar as unfavorable to the defendants.

The judge gave some instructions to the jury that carry conviction along with them; and although they seem at times to deal in commonplace things, these are necessary for a more perfect understanding of the whole legal fabric presented to the panel. His statement that "the mutual right of the parties to contract in regard to the wages and the character of the employment, whether by the piece or by the day, whether for ten hours or less, is fixed as any other right we enjoy," and the subjoined statement that "it is the plain duty of the state to protect them in the enjoyment of it," are unanswerable as legal propositions, albeit somewhat prejudicial to the cause of those who hold to the supremacy of the union by which the workers were controlled. He does not stop with this general reference, however, but goes on to make special mention of the interference by the organization, saying: "It is alleged that the advisory committee did more than induce others not to accept employment from the company; that it allowed no persons to enter the mill and even permitted no strangers to enter the town without its consent." The judge refers to the com-

mittee's military organization, showing how the authority of the sheriff had been defied, and then deals with the Homestead battle and concomitant circumstances, with which we are all familiar.

The language of the charge is in places quite graphic and throughout maintains a high literary character. Some of the passages are dramatic and pathetic, as witness the following:

"We can have some sympathy with a mob driven to desperation by hunger, as in the days of the French revolution, but we can have none for men receiving exceptionally high wages in resisting the law and resorting to violence and bloodshed in the assertion of imaginary rights, and entailing such a vast expense upon the taxpayers of the commonwealth.

"It was not a cry for bread to feed their famishing lips, resulting in a sudden outrage, with good provocation. It was a deliberate attempt by men without authority to control others in the enjoyment of their rights."

Such a state of things existing in any country, his honor concludes, shows that there is a weak spot, which is not in the law itself but probably in its enforcement. If those who are charged with its administration do but their plain duty, all that is needed will be accomplished, and he did not think by reason of a long experience on the bench, that the jury in this case would fail to do theirs.

Treason was defined by his honor as the organization of a large number of men in a common purpose to defy the law, resist the officers and deprive any portion of their fellow citizens of their rights under the constitution and laws. It was shown as a maxim of criminal law that a man is presumed to have intended that which is the natural and probable consequence of his acts, and then the judge closed by saying—"We have reached the point in the history of the state where there are but two roads left for us to pursue; the one leads to order and good government, the other leads to anarchy."

After reading and considering the report of the judge's charge, we are inclined to the opinion previously spoken of—that it was unfavorable to the strikers. Unless this judgment is greatly at fault in the premises, we might go a step further and say that it amounts substantially to a direction to the jury to indict, which, as has already been seen, they did in the cases of thirty-one of the strikers. The evidence seems strong, so that convictions are more than probable, and the crime is the highest known to the law. The situation is a most serious one.

IN MEMORIAM COLUMBUS.

Those who think Salt Lake City unequal to such an occasion as fitly observing Discovery Day should have seen the magnificent procession of children this morning. It is questionable if anywhere in the land as great a turnout proportionately has occurred, and quite certain that nowhere do the children better understand what all the parade and display signalize. It is noteworthy that we gave President Harrison the finest reception of this kind he received as he himself admitted; but today we fairly capped the

climax—in homely phraseology, we "just fairly spread ourselves" and that, too, in honor of a man who has been in the great beyond a dozen generations past.

Four hundred years ago tomorrow Christopher Columbus disembarked from the "Santa Maria" on the eastern shore of San Salvador, the most easterly island in the Bahama group, off the southeastern coast of Florida. We celebrate the occasion on Friday because he set sail from Palos on Friday, discovered land on Friday, began his return voyage on Friday, and reached Palos again on Friday, March 15, 1493; this seeming to be the explorer's red letter day and its being so close to the real time of discovery, determined us to fix the celebration accordingly, thus allowing for the day as well as the date.

There may be those who do not understand why it is that some places observed the 12th of this month instead of the present date. This is because of the change made in the calendar by Pope Gregory XIII in 1582; he found it necessary to arbitrarily dispose of ten days in order to make the world's chronology coherent, that is, to make time and its measurement from the beginning correspond. The calendar is not perfect yet, but it is practically so, and it is a splendid exemplification of the great learning and profound judgment of the priestly philosopher. Expunging the ten days placed the equinox in its proper position in the year, and the seasons being thus adjusted were made to correspond with the years and parts thereof; but it made the change spoken of, a difference of ten days. It is like setting back the hands of a clock; the time itself goes on, but the measurement of it does not, and in celebrating the 12th of October as it was before the revision, we have to wait ten days and thus fill up the gap which Gregory made for our convenience.

It is a great day and Columbus was a great man. Both deserve all the honors which a grateful people are now bestowing.

AN AUTHOR IN A DILEMMA.

The New York *World* recently offered a prize of \$500 for the best Democratic campaign song. There were several hundred competitors and the choice was made by a committee appointed for that purpose. It turns out that the author is a Republican, holding a lucrative position in one of the departments at Washington, and as such he refuses to give his name, preferring to forfeit the prize if necessary. The *World* declares that to give the money to a competitor who declines to publicly acknowledge its reception raises a question of literary ethics which can only properly be decided by experts, and the whole matter has been submitted to such a committee. It would seem that in any event the author is entitled to something, since the paper publishes both the words and music of his production.

THE CHICAGO *Mail* wants "the good work so auspiciously begun at Coffeyville to go on merrily till the wicked cease from troubling and the weary are at rest."