

## EDITORIALS.

## A MODEL CITY.

NEW YORK City is distinguished among the metropolitan communities of the earth for being honeycombed with fraud, dishonesty and corruption; if it has a successful rival, the name of it has not yet been reduced to record. Mayor Hewitt has been and is doing as much as any man can against great odds to clear the Augean stable, but the task is super-Herculean, and, as things go at present, he will find at the end of his two years' term that he has only scotched the snake, not killed it. The disease is too deeply seated and well entrenched to be dislodged in a short time, or a long one either; one neat is no sooner broken up than another is found, with traces of plenty more around in the immediate vicinity that cannot be reached because the task in hand is as much as can get proper attention. Take for instance the boodle trials which have been under way for nearly a year, and may now be considered as fairly started; no one can guess how much money has been spent in them, nor how much more is likely to be; but after enough good money has been sent after the bad to secure the conviction of a few ringleaders, the months and years spent in reaching such a consummation will not be lost by the corruptionists, who will not be slow to recognize that the city has its hands full and this is their golden opportunity, so that New York will emerge from one cleansing job to find perhaps a dozen more upon which to operate. This is not a very pleasing state of things to contemplate, but if anything it is understated.

The particular individual on trial just now is the notorious "Jake" Sharp, the millionaire. He it was who engineered the elevated railway franchise through the Common Council of the city, and by a system of special pleading which has always been an irresistible argument in that community and several others—the liberal disbursement of money. Something like a dozen of the virtuous and patriotic statesmen who make ordinances for the great metropolis were bought like so many cattle at the shambles, the price paid being from \$20,000 up, according to the statesman's prominence, influence and backbone. He got his road through in good style, but such wholesale jobs, like murder, will out sooner or later, and this particular one might have been ferreted out much earlier as well as later if the requisite amount of ability had been enlisted in the work soon enough, and when the prosecutions began they were strangely arranged. Sharp's guilt must have been about the first thing developed, because it could not well be shown that a dozen men had corruptly received large sums of money from a certain source for a certain object without bringing to light what and where the source was; and instead of beginning at the fountain head and going down the stream, they started at the other end and worked with very indifferent success towards the top. A few of the hirelings have been prosecuted and convicted and are now serving out their sentences; now the master is in the dock. This is the eleventh day since the proceedings began and they have no jury at this writing. This is not especially significant or surprising, for the reason that Sharp did not spend all his money on the purchase of a charter for his grand scheme, and if he did do so, it has all returned with a million more to keep it company by this time. Herein he has a decided advantage, one that his tools were denied the possession of because they didn't make enough out of the transaction, and have mainly been trying to live on what they did make since. The chief of the boddies has six of the ablest lawyers in a city which contains very few that are not able to defend him; among them is the famous Fullerton, of Beecher trial notoriety, the shrewdest cross-examiner in the world; this array must have cost him at least as much as two of the cheaper of the Aldermen came to, and it is only a part of the expense he is incurring. Two weeks spent in obtaining a jury is a pretty good return for the first statement that is heard from the investment, and it is now a question whether or not sufficient coin can be found to quash the indictment, tie up the jury or paralyze the court. Anyway, bets are freely offered that Sharp will never involuntarily see the inside workings of the Sing Sing receptacle for elastic officials.

## A COURT OF GREAT POWER.

THE Supreme Court of the United States can render null and void a law of Congress, and can compel even the Chief Magistrate to desist from performing any given act or function, if eight of its fifteen members see fit to do so. There is not another court on earth having so great power. No other nation makes its judiciary thus superior to all other departments of its government.

There always is danger to the masses when great powers over their liberties repose in the hands of one man, or a small number of men, and the danger is greater when the man or men holding the power are not directly chosen by

the people, and are beyond the reach of any remedy at the command of the citizens. How to obviate this danger has been a problem ever since governments began to be established among mankind.

That this danger is far from being wholly visionary in this country, has had several exemplifications, among them being the occasion when one of the vital powers of the government was on the verge of being destroyed by the action of that court upon the subject of issuing paper money that would be legal tender, a thing necessary to be done in order to promote the war of the rebellion.

The vast power and unlimited authority, in some directions, of the Supreme Court of the United States, are being discussed by the press of the country in connection with speculations as to whom the President will appoint a member of it, *vice* Justice Woods, recently deceased.

## SUNDAY MORNING'S TRAGEDY.

It is not often that a circumstance so thrilling and pathetic as the tragedy of Sunday morning bursts upon the community. The news of the terrible affair created a profound sensation.

It would have been difficult to have selected an individual in this city who would have been deemed less likely to be the victim of such an occurrence. The writer of this has known him for a number of years as an unobtrusive young man, his reserve amounting almost to reticence toward people with whom he was not familiar. He was quiet, thoughtful, almost measured in his demeanor, being frequently buried in thought.

This habit was probably the result of his devotion to his profession of architect, and there can be no doubt that, as with every other devotee of art, his mind in reflective mood was frequently busy constructing mental images of elaborate structures as the painter formulates and creates his pictures by the power of imagination before transferring them to the canvass.

Some people in thinking upon the midnight murder, the intelligence of which so startled our citizens, have wondered why the unfortunate man should be abroad from home at such an untimely hour, and in such a peculiar garb. His being about at the time he was may be accounted for on the ground of his mental peculiarity. It has, we understand, been quite common for him to stroll out at night, his usual custom being to select some point in City Creek Cañon, or on Arsenal Hill, where he would seat himself for hours at a time, apparently buried in thought. The garb in which he was attired at the time he was murdered was also not unusual, as those who were acquainted with him know, being the dress in which he attended to his chores around home.

So far as inquiry and investigation have developed, not one scintilla of justification for the deed of blood has been elucidated. The reason for the perpetration of a crime so horrible in its nature and appalling in its effects, if there was one, is buried in mystery. Whatever the cause may be we have no idea that it was incited by any conduct on the part of the victim of a nature to incite it. From all appearances he was simply shot down in cold blood. This theory is strengthened by the fact that he was unarmed and consequently helpless in the hands of his slayer. The fact that Martin, who committed the deed, attempted to make it appear that Mr. Burton was armed, by rushing up to his prostate form, placing his hands in his clothing and then raising his hand with his own pistol in it, claiming that he had found it upon the person of the man he had slain, is a strong pointer in favor of the theory of cold-blooded murder.

The unfortunate victim of this bloody affair was not a man of religious disposition, but he had the reputation of being the soul of honor in his dealings with his fellowmen, was polite, kind and considerate, and a most affectionate husband and father. He was a man whose intellectual capacity was also far above the ordinary. That he should be ruthlessly cut down in the vigor of manhood, and in the midst of his usefulness is most shocking. It is a fearful blow to his wife and child, who were devotedly attached to him, and his father, Bishop Robert T. Burton, his mother and other relatives are likewise plunged into sorrow by the sad event. Perhaps it may be some solace to them to know that they have a host of sympathizing friends, of whose sincere condolence they may feel assured.

## THEIR AUTHORITY IS LIMITED.

SOME of the individuals who perform the functions of deputy marshals act as if they deemed themselves clothed with the powers of the three departments of government, legislative, executive and judicial. In this issue of the News appear two accounts of the doings of these minions, in Nephi, Utah, and Menan, Idaho, respectively. In each place the officers, if the facts are correctly stated, assumed an authority which they could not lawfully exercise. There is simply no defense to the

course of deputies McGeary and Thompson in dragging a defendant, charged with unlawful cohabitation, from his home in Nephi, to Beaver, 120 miles. No judicial officer in Beaver can lawfully or properly investigate this case. It is subject to the exclusive jurisdiction of the First Judicial District, and Beaver is in the Second. These facts are *prima facie*.

In the Idaho case, a deputy dragged two women a long distance from their home, not for the reason that he had a writ of court commanding him to have his victims in a certain place at a certain time, but for the reason that the defendant against whom they were to be used as witnesses, had given the officers the trouble to hunt him up and arrest him, instead of rushing into their arms, and, so to speak, imploring the privilege of going to prison. Before reaching the destination to which he intended to convey the ladies, the arrogant officer received a little legal counsel which led him to change his purpose, and the ladies were released.

The authority of deputy marshals in serving writs is distinctly specified in the papers under which they act. In such cases as those we are referring to, it is not discretionary with the officer whether he takes a person into custody or not; neither is it discretionary with him before what judicial officer he takes a person of whom he has the custody. It is incredible that the warrant, under which Mr. Latimer, of Nephi, was arrested, commanded that he be produced before some judicial officer at Beaver; but unless it did, the deputies taking him there are guilty of an outrage. If the Idaho officer had a lawful writ commanding him to take the two lady witnesses into custody, and convey them to a given distance at a given time, then he would have been justified in insisting upon their going. But the fact that he took them part way against their protest, and then, on the advice of an attorney released them, shows clearly that the motive from which he acted was not a lawful one.

## ONE OF THE EVILS OF THE AGE.

IN *The Forum* for May, Judge Edmund H. Bennett has an article on the marriage laws of this country, in which he states that the increase of divorces throughout the United States has become alarming. He gives statistics from several States to substantiate his assertion. These show that in Connecticut they have increased fourfold since 1860. In Massachusetts they rose from 243 cases in 1860 to 653 in 1883. In Vermont they more than doubled from 1860 to 1878. In New Hampshire 107 cases in 1860 advanced to 339 in 1880. In these two States the population was about the same at both periods. Other States which he mentions tell a similar story and in some the ratio is one to every five marriages! When it is remembered that the Catholics do not allow divorce, "the proportion of marriages in other classes" appears all the more enormous.

Judge Bennett admits that the easy divorce laws are not the cause of this deplorable evil in American society. He points to the number of suicides that occur through domestic troubles, and shows that the impossibility of two persons living happily in wedded life who are "by nature, by education, by habits and associations, totally unadapted to each other." There are acts of cruelty and brutality which a sensitive woman may suffer from a coarse and worthless husband, far more difficult to bear than harsh personal treatment, or even an act of infidelity committed under sudden temptation. To limit divorce to the latter would not be sound policy. And a wife can make home to the husband a hell, without committing any flagrant wrong that the law recognizes as criminal. Separation he thinks "a natural resort of those who are so unequally yoked together."

But the writer of the *Forum* article does not, in our opinion, suggest an adequate remedy. He proposes the raising of the lawful age of marriage. A previous publication or at least a public registry of intention to marry. The presence of a certain number of witnesses before some minister or civil magistrate who may question the parties to the marriage under oath as to their eligibility, false statements to be punished as perjury. That all marriages not entered into as peremptory laws shall provide, be declared null and void and the parties thereto be held liable to criminal prosecution. And a regulation forbidding marriage without reliable and sufficient means to support a family.

We do not think Judge Bennett's method of reform is commendable. To hinder marriage is a strange way of establishing good morals. By placing obstacles and restrictions in the path to lawful wedlock, will not a far worse condition of society be rendered probable than that produced by easy divorce? And yet it must be admitted that there should be some wise regulations over so important a step as matrimony. The experience of parents and the authority of some supervising power ought to be invoked for the prevention, if possible, of incompatible unions and the contracting of sudden contracts which are likely to be repented of at leisure.

The time will come in this nation, as well as every other, when it will be learned that in taking marriage out of the control of religious influences and authorities a great mistake has been

made. Matrimony was originally a matter of ecclesiastical direction. It was ordained of God. It was not a mere civil contract like an agreement for a partnership in business. In older times it was an eternal covenant. It is so now among the Latter-day Saints. Were it not for the interference of the civil power, which has assumed to step in and invade the rights and cripple the power of the Church, marriage could be so regulated under the influences and rules which the Church would institute that few improper unions would occur, and divorce would be reduced to a minimum in this community.

The condition of society where divorces are so common as they are represented by Judge Bennett must be very undesirable. And the effects produced upon the children must be far from salutary. And yet it will be found that the parties to that deplorable looseness that prevails as to the marriage tie, are among the sternest and most vindictive advocates of the assaults made upon polygamy. A man who has had several wives in succession, divorcing one when desiring another, has no patience with a "Mormon" who keeps and supports and cherishes every woman whom he marries, nor with the doctrine of the "Mormons" that marriage should be indissoluble, enduring for time and eternity, and a woman who has had several husbands in succession, some of them being also divorced, thinks it highly immoral for a "Mormon" woman to be married to a man who has another wife living. And yet the Bible, which these inconsistent persons profess to believe, teaches a plurality of wives and condemns "putting away."

The New York Times commenting on this subject as taken up by the convention of the Diocese of New York, makes the following incidental remarks:

"Judge Bennett discusses the matter more broadly. He inclines to the opinion that the New York system of marriage and divorce is not more civilized or decent than the Utah system of polygamy. If the opinion be limited to apply only to acts which are legally possible, rather than to custom under the law, we are forced to say that the Utah system is actually more defensible. In Utah there is no excuse for irregular relations, and a man must actually marry his wives in a manner giving them claims upon him. But in States other than Utah the evils resulting from the combination of ease of marriage with scandalous frequency of divorce cry aloud for remedy. What would a Mormon say to one divorce for every five marriages? Is there any case on record in Utah of a man living all his life a bachelor, but leaving an estate to be quarreled over by several posthumous widows? Can a boy and girl go out for an afternoon drive in Salt Lake City, come home husband and wife, and speedily get a divorce because one of them does not fancy Utah as a place of residence? Do men and women get married in jest in Utah, and do their courts then annul the marriage on the ground that one of the parties was not in earnest? Of course, everybody knows that bigamy in New York consists in going through two marriage ceremonies; or in other words, that a marriage may be enough a marriage to give a wife dower, but not enough a marriage to send such a husband to the State prison for deceiving a second woman. Such cases have been from time to time spread before our readers, and now, recalling them, we ask whether the Rev. Morgan Dix went as far as he might when, as reported, he said from the pulpit that the difference between Utah polygamy and New York polygamy is that one is simultaneous and the other consecutive. That is the difference in reputable society; the difference when advantage is taken of what the law permits is not easily expressed in polite language."

The root of the whole evil is down in the heart of society. There is a disposition to reject constraint and despise authority which is and must be fatal to sound morals. Laws are not likely to be much superior to the people in a republic like ours. From the bondage of a spurious priesthood which fettered the souls of men, there has been a rebound to an opposite extreme. Every man wants to do as he pleases, with little or no regard for the general good or the requirements of religion. Appearances he must have regard for, if he moves in respectable circles. A certain decorum is required in decent society and he must conform to it. It is fashionable to go to some place of worship once a week and to hire a pew, as a box is held at a theatre. But there are very few comparatively, who place any reliance upon the flabby claims to divine authority tamely assumed and often relinquished by the popular clergy, and the preacher becomes a mere theologian, speculating on subjects of which he has no definite knowledge, and exercising no positive force or actual restraint upon the lives of his hearers. They follow the bent of their inclinations and have far more regard for Mrs. Grundy than for the all-seeing Eye or any abstract question of right.

The indications are that the radical evils of society will become worse and more wide-spread. We do not believe they can be cured, except in this way: The Almighty has revealed anew His plan of redemption and with it His authority. The system He has set up will yet attract the interested attention of all classes of people of every nation.

The pure in heart will flock to it. Some others of course will mingle with them. But those who love righteousness and hate iniquity will gather with the Saints and help to establish a pure morality, a sound, consistent and divine marriage system adapted to the different needs of varied humanity, and with stringent rules and penalties against marital infidelity and kindred sins. The organization will grow into a mighty power and "the Kingdoms of this world," after due warning, will be scourged by the Great God for their iniquities until they repent or fall to pieces by their own corruptions and contentions. The earth will be cleansed with "the besom of destruction" and a reign of righteousness will be ushered in. The time is at hand. "The wicked will do wickedly and they will not understand, but the wise will understand."

## NATURAL PHENOMENA.

If all the phenomena displayed during the recent seismic disturbances in Mexico were collated, it would make a large and interesting chapter. That of a big pool of water becoming scalding hot in an instant during the rumblings of the earth, and cooling off into an icy coldness as soon as the shocks had ceased, goes beyond the merely phenomenal and partakes of the preternatural, that is, it can be accounted for upon no known law of nature and remains so far among the inexplicable things of our time. But such events have not been confined nor are they even peculiar to Mexico, for strange things take place very frequently in every country; some of these are not mysterious, because their cause and effect have been registered in the volume of science for a long time past, and it may be that some time hence the other wonders will also be blunted by solution. But that peculiar, weird sensation produced by visitations from we know not where and filling a mission we know not what, however thoroughly analyzed and laid bare their nature and position in cosmogony may be, will always be experienced whenever they appear. For example, a meteor invariably attracts our attention and excites our interest although we may have seen thousands of them and are quite familiar with their origin, cause and effect; the mere fact that they are not of the earth earthy and may have traversed infinite space to an extent beyond our comprehension, gives rise afresh to solemn thoughts and profound admiration. But it is when these blazing pilgrims of the air are so large that they reach our planet before being consumed, that they excite the most attention. There is no friction and consequently no ignition until drawn by the powerful magnetism of the earth within our atmosphere, upon which and proceeding through it at a velocity equal to many times the initial force of a bullet, they become a mass of flame at once, and unless very large before the air was reached, their visitation to our sphere is in the form of impalpable ashes.

The account comes of a monstrous meteor which fell on the farm of James Harmon, in the town of Lomanville, New York, on the night of May 26th last. As the stone was buried very deep it has not yet been recovered. The account states that the descent occurred about 11 o'clock at night, and was observed by Robert Wells, a farmer, who had just returned from Elmira. He was first startled by the brilliancy of the sky, as if there was a prolonged flash of lightning. Then there was a loud hissing sound and he saw a huge ball of fire, which he thought struck near his house, but it was so dark after the stone fell that he abandoned the effort to find it. The next morning a mysterious pit forty feet across and twenty feet deep was discovered in a ten acre field on Mr. Harney's farm a mile away. The sides have caved in, but an effort will be made to find the meteor. The Harneys say the house was severely jaded during the night and think it must have been caused by the meteor striking so near them. An addition to our geology from the unknown beyond that makes a pit of the dimensions stated above, will be rather unwieldy when found, as they are very heavy and so hard that it is almost impossible to cut or break them.

## LEGISLATION ON MORALS.

THE tendency of the age in respect to morals is clearly shown by the tenor of current legislation. Laws governing the relations of the sexes are steadily becoming more and more lax. Violations of Scriptural ethics relating to chastity are punished with increasing mildness. Virtue is valued more and more lightly.

On the other hand, the tendency in favor of temperance legislation is rapidly spreading and growing stronger. Nearly every State and Territory in the Union is affected by it, and the prohibitionists threaten to become as powerful a factor in American politics as the abolitionists were before the war, though it is hardly probable that they will witness as complete a fruition of their hopes as did the latter.