

## EDITORIALS.

## A DANGEROUS SENTIMENT.

EX-SENATOR BRUCE, (colored) Register of the United States Treasury, is credited with having expressed a very dangerous sentiment a day or two ago. Speaking of the recent Supreme Court decision on the Civil Rights bill, he is represented as saying: "It does not reflect the sentiment of the people as a court decision ought to do."

It is difficult to comprehend how a supposedly sensible, capable and intelligent man could entertain so mischievous a view as expressed in that sentence. What would be the result if it prevailed in the courts of the country? Their judicial functions proper would be abolished, and the chief bulwarks of human life and liberty swept away. It would only devolve upon them to ascertain the popular sentiment on any subject requiring their cognizance and action, and give their decisions accordingly.

Public sentiment should not enter into the decisions of courts at all except it be in harmony with the Constitution and laws made in unison with that glorious instrument. Unfortunately, the popular feeling is too often in opposition to the right. The masses not being disposed to investigate matters of moment and sound them in all their depths with the touchstone of reason, are often swayed by prejudice and liable to be influenced in their bearings by designing knaves and demagogues. They are apt to be inclined by the influence of passion or self-interest, and their sentiment should never govern the decisions of the courts, whose chief glory consists in the power to act dispassionately and after the most careful research and consideration.

When the popular sentiment and the spirit and intent of the law are harmonious, then the courts are doubly strong when they decide in the proper direction. We have always held the opinion since the agitation of the liquor question in Northern Utah, that the sentiment of the people—in favor of prohibition—was in unison with the intent of the law, though the purport was somewhat vaguely expressed. Their honors of the Supreme Court of the Territory appeared to take a different view, however, and their decision fell in favor of the liquor traffic. We cite this as an instance of the popular sentiment being in conformity with the genius of the law, and with which we consequently do not think the Court would have erred in deciding in harmony.

We are afraid ex-Senator Bruce expresses a view that is altogether too prevalent already, and the insidious spread of such an opinion is dangerous to the commonwealth. If it once fairly took hold of the judiciary of the country it would reduce the government to chaos; men clothed with the ermine as human as other people. Of all existing safeguards in the body politic, the judiciary is by far the most important, and it is a deplorable fact that there is none too much confidence in the judicial structure as a whole now. This fact is felt more forcibly by a community like this than any other. The men who preside in the Courts of Utah are placed in their positions without the sanction of the people, and in view of the prejudice abroad against the majority of the citizens kept in a state of chronic activity by a small band of designing demagogues who reside here, perhaps in no other field are the inducements so strong for the courts to be swayed by general sentiment in place of the merits of matters in litigation. The people here have occasionally suffered severely in consequence. Men who have occupied positions on the bench have taken popular sentiment as their guide, and decided times almost without number in opposition to the law and constitutional principles. Temporary wrongs in this way inflicted, might often have been rendered permanent but for the intervention of dispassionate decrees of the Supreme Tribunal of the land.

The Constitution is the supreme law of the land, but in ex-Senator Bruce's estimation popular sentiment should be lifted to that exalted position. The expression of such a view as that is an incipient plea in favor of mob law.

## SPREAD THE TRUTH.

WE are in receipt of a letter from a gentleman in the East, to whose request for papers giving correct ideas of the character and condition of the "Mormons" we responded a short time since. He now writes to the effect that his eyes are opened to the fact that the Latter-day Saints are far from being the depraved and blood-thirsty people they have been represented as being. While there are some things in their religion that he considers erroneous, on the other hand, there are many others that are good, true and beautiful.

It is quite a progressive step to take to so far investigate "Mormonism" as to be able to see beauties in it. The probabilities are that the more he investigates, if he continues in the good work, the more of beauty and truth he will see in the system, and the objections he now holds will, by competent explanations, disappear as the early snow before the genial rays of the sun. The correspondent is evidently a believer in the Scriptures, and it is certain that he cannot very well retain a belief in them and repudiate what the world call "Mormonism" in whole or in part.

There is one barrier in the way of our correspondent, however. It is an exceedingly common one. He requests in his communication that his identity be not made public as being connected with a religious body, if it were known that he was even enquiring in relation to the "Mormons" the consequences would be rather dreadful. This should be an additional evidence to him of the truth of the system after which he has been stretching out just a little, because if he feels sure that his name would be cast out as evil, on account of a mere inquiry into the status of a popularly despised religious body what should be naturally expect if he were really to take up his cross, and identify himself with it?

But there is a moral in this incident which should not be lost sight of. It shows the influence wielded by this journal and other publications giving proper representations of the character of the community of Latter-day Saints upon those whose information has heretofore been derived entirely from opposition, unfavorable and unreliable sources. Those who are interested in spreading the truth should be sufficiently so to help to circulate abroad the literary mediums by which it can be communicated to the people.

[From Thursday's Daily, Nov. 1]

## BIRTHDAY ANNIVERSARY.

THIS is the 75th anniversary of the birthday of President John Taylor. The occasion was honored this afternoon by a social gathering of the family and a number of the personal friends of the esteemed and beloved veteran, at the Gardo House.

But few men in the history of the world have exhibited so much devotion to the general interests of humanity as has been manifested in the life of this respected champion of truth, justice and the rights of man. In common with the hosts of his friends, who hold him in the highest estimation, we congratulate him, on his natal day, on the fact of his having reached so ripe an age, and is yet so well preserved. We wish him numerous returns of the day, that he may live many years to be useful to his fellowmen and an example to all, as he has ever been, of stability and fidelity to the cause of right. May the blessings of the Most High continue to be copiously showered upon his venerable head.

## COMMISSIONS FOR LOCAL OFFICERS.

THERE appears to be a misunderstanding with some of our friends in regard to the necessity of commissions from the Governor to officers elected under the laws of the Territory, and also in relation to the Secretary and his fee for those commissions. Some of our country contemporaries seem to be under the impression that the Secretary has been requiring officers elect to

obtain commissions, simply for the purpose of gaining the munificent sum of one dollar per head, and that the commission costing that sum is worthless when received. We do not view this matter in that light.

In the first place the Organic Act provides that the Governor "shall commission all officers who shall be appointed to fill offices under the laws of the said Territory." This is construed by many good lawyers and some judges to cover the whole ground of officials receiving offices under our local laws. And their position is not to be set aside without something more than a negative or a sneer. It is not unreasonable to consider that the intent of Congress was to endow the Governor with power to commission all the local officers. We admit that the terms "elected" and "appointed" have a different technical signification. But an officer's election is not unfrequently referred to as his appointment to office, and we think there are good reasons for the use of the term in this sense. It has been urged by one of our country contemporaries that no officers but probate judges and justices of the peace are required by the laws of the Territory to be commissioned by the Governor. Reference to the laws will show that the act for the election of probate judges does not require them to be commissioned by the Governor, and that the act in reference to the election of justices of the peace and constables does require both of these officers to be so commissioned. (See Compiled Laws, pp. 122, 141.)

It should be understood that the Secretary has required no one to obtain a Commission or to pay him a cent. It is the Governor that gives the commission, the Secretary does the clerical work and affixes the seal of the Territory, and our local laws give him a fee of one dollar for this. Officers apply for these Commissions, and in issuing them and receiving the fee these officials act within the lines of the law, and are not open to the censure which some have hastily passed upon them. It is a fact, too, that no one has been denied a commission who has not paid the fee, but it is a fact that quite a number have received it without payment.

Then the commission, even if not specially required by law in all cases is not altogether worthless. It is good, solid evidence that the person holding it has been elected or appointed to the office of which it is a certificate. In our opinion it is worth at least a dollar on that account.

It is also a mistake to suppose that this is the first year when such commissions have been issued to county and precinct officers. For a long term of years it has been the practice in some counties for those officers to apply for and receive commissions from the Governor and we do not see where they were in error in doing so. Now as to the perquisites of the Secretary. It is well known that his salary is not large and if our friends will take the trouble to count up the number of officials in the Territory, and see what the sum amounts to at a dollar a head, some of them only being elected every four years and most of the others every two years, they will see that the annual amount is not great and not worth much quarreling about.

Our opinion is, that in these times when advantage may be taken of any technicality, it is best to comply with constitutional law in every respect, and give it the widest latitude of which its language is capable. In this case a dollar is a small amount, and being the token and sign and seal of title to an office, is a sum not rashly or worthlessly extended by any officer elect.

## UNPROFITABLE ENTERTAINMENTS.

PERHAPS no city of its population is more liberally provided with amusements than Salt Lake. Besides the strictly local supply, there is a constant contributory source in the various and numerous companies who stop here on their passages east and west across the continent.

There is no getting away from the fact that amusements have much to do with influencing public taste and character. High toned entertainments will tone up the popular sentiment and tendency, while those of an essentially groveling nature

have a more or less degrading effect. Believing the exhibitions given by professional pugilists to be of the latter order, and having very clear and distinct opinions on the subject, we hope that no such entertainments as that provided by Mr. Ryan will be witnessed in this city any more. While we do not wish to show any disrespect to that gentleman, we view professional pugilism as devoid of any redeeming feature, and exhibitions of its methods are necessarily tinged with the same nature.

We appreciate the difficulty under which which caters to the public demand for amusement labor, in the existing condition of popular inclination, which is more or less vitiated, frequently causing the lowest forms of amusement to be the most liberally patronized. We hope to see the time, however, when in providing for the satisfaction of the human instinct which craves for change and relaxation in the shape of amusement, the element of moral effect kept more strongly in view than at present. That class of entertainment, according to our view, that tends to cultivate the higher capacities of the people or that is embellished with an instructive moral is alone legitimate. Let us have no more exhibitions of the most adroit and scientific methods of battering the human face and form divine. While they may be financially profitable, they are morally degrading.

## A FEARFUL SUPERSTITION.

A few days ago we published a paragraph from the Chicago Tribune in which was comprised one of the latest statements of alleged "Mormon" superstition. It was in substance that when a lady member of the church dies a black face-cloth is placed over the face of the dead. Unless this is removed at the resurrection by a man who was the husband of the deceased in life, she must remain for ever in outer darkness, and cannot enter the celestial kingdom. This is said to be implicitly believed by "Mormon" women and serves to keep them within the circle of the plural marriage system. We have seen the paragraph in several papers since its appearance in our Chicago contemporary, and so it goes on its regular round.

We are always pleased to vindicate the veracity of the newspapers and the clergy, both of whom indulge in many statements upon "Mormonism" and the "Mormons," but we regret that they give us so few opportunities of deriving enjoyment from that cause when they touch on that subject. However painful it may be to our feelings to even intimate that so distinguished a paper would be guilty of being actuated by prejudice or self-interest that would lead it from the path of strict truthfulness, we are constrained to point out a few inaccuracies in this statement. Without wishing to be unnecessarily offensive we must say that no "Mormon" woman expects after death to have a face-cloth removed from her countenance by her husband or anybody else. We will add also that no "Mormon" husband anticipates having to perform this office for his dead wife or anybody else. Perhaps we have said enough in relation to what is not expected to be done, but we will doubtless be pardoned for stating, on positive knowledge, as a further addition, and to render the explanation a little more complete, that no face-cloth is laid over the faces of the ladies of the Church. If the talented and ingenious Chicago editor would kindly, in the interests of truth and for the benefit of his copying contemporaries and their readers, make these few corrections, he may safely herald the balance of the article to a benighted world as a formidable array of damaging facts, on account of the existence of which an army should at once be dispatched to Utah to obliterate from the face of the earth a people so darkened as to entertain such fearful superstitions.

In case we might be supposed to be in error, those who wish to prove the truth or falsity of our position can do so by a simple process. Let such attend a funeral of one of our sisters, view the face of the dead in the casket, a privilege afforded as a rule to all, witness the fastening down of the lid, observe the body lowered into the tomb, minus anything in the shape of a face-cloth. But it occurs to us as absurd to ex-

pect people to go to so much trouble to ascertain a truth, when a fable is much more congenial with their natures. The fact is that nothing is too improbable to be told or believed about the "Mormons."

## SPEED AND EFFICIENCY.

AN incident related to us yesterday illustrated the dispatch and rapidity of action attained by our city fire department by the recent improvements made in connection with it. When the alarm was sounded for the blaze at the Whittemore Hotel near the U. C. depot, a gentleman, who was stopping at the Grenig House, adjacent to Fireman's Hall, stepped out of that establishment immediately after the first tap of the bell. Notwithstanding the fact that he made no delay in his exit, when he reached the sidewalk the four stationary men with horse and hose-cart were spinning westward half way between the City Hall and East Temple Street having harnessed dashed out of the engine room and gained that distance in a space of time that made the rapidity of movement appear almost magical. It is estimated that they reached the scene of the fire inside of two and a half minutes from the time of starting from the hall, but that appears almost incredible. We have heard a good many remarks complimentary to the Brigade for their expert, intelligent and capable conduct at the fires. If there is any fault to be found with the generality of "the boys" it is principally an account of a trifle too much disregard for their own personal safety. While it is praiseworthy to put forth every possible effort to save property from destruction by the devouring element, it should not be done at a too rash risk of human life and limb.

In looking at the remains of the skating rink, which covered a large surface of ground and was totally consumed, it seems a matter of astonishment that contiguous buildings were saved, especially the house of Col. Beattie, which is within a few feet of the spot where the burned building stood. It shows that the efforts of the firemen were intelligently directed. When it is apparent that a burning building is inevitably doomed to destruction in defiance of any endeavors to save it, all the energies of the firemen should be turned to the work of defending adjacent structures from contact with the flames. This was effectually done at the skating pavilion fire of yesterday morning.

## TENDENCIES OF SKATING PAVILIONS.

THE destruction of property by fire always affords food for regret, but the extent and intensity of that sentiment naturally depends upon the nature of what has been demolished. There is considerable sympathy, in which we join, for the gentlemen who lost so heavily by the burning of the skating pavilion on West Temple Street. So far as we are concerned the regret goes no farther, and has no connection whatever with the character of the institution that was conducted in the fire-trap which was consumed on Sunday morning. We look upon skating pavilions as traps in another sense, tending to ensnare the feet of the young, and lead them from the strict paths of propriety. They are places to be shunned as dangerous to the morals of society. While the timber construction of the building destroyed was a standing menace to adjacent property less liable to the rapid action of fire, the institution carried on within its slender walls was a standing threat against the morals of the young and unwary of this city, and it therefore stood in relief in the form of a double nuisance.

In taking this position we do not wish to cast any personal reflection upon the proprietors of the late pavilion. For anything we know they may have conducted their establishment in the strictest propriety it was within their power to introduce. They may have carried on their business as well as it could be. But granting this, the fact would not dissipate our objections to skating pavilions.