

EDITORIALS.

PECULIARITIES THAT PREVAIL IN UTAH.

THIS Territory is a very peculiar place, and inhabited by a very peculiar people. Things are done in a very peculiar manner. They are done very differently here to what they are in other parts of the Union. But the most peculiar of all peculiar things are done in the courts. Not only the press but even the administration is staggered at some of the peculiar things done here in judicial matters, as for instance imprisoning a man for refusing to pay alimony to a woman whom the courts say the law does not recognize as his wife, which must mean that any woman can obtain alimony from any man, if she will only set the sleuthhounds of the law at him.

It is usually considered that the business of the courts is to administer the laws, impartially, according to the true spirit and intent thereof. It is further admitted that the best and most impartial judges are those who do not enter largely into the passionate politics of the day, and who especially do not lend themselves to petty partizan prejudices, or to the local prejudices in their districts. But in Utah things are done very differently. There have been judges here who have exhibited the bitterest party prejudices, who apparently have sold themselves and soul to party and local prejudices and animosities. All their decisions, or nearly all, have been taken from these prejudices and animosities, inasmuch that it has been considered a rare and noteworthy circumstance when a ruling of theirs has not been so manifestly tinged.

But some of the most peculiar things judicial done here arise out of the extended jurisdiction which some of the courts have assumed. Some of them have not merely assumed to administer the law, but to make the law, thus adding the legislative to the judicial capacity, two branches of the government which the Constitution and the law have kept distinctly separate and independent. Some of those judges have assumed that to be law which is not law, and those officers to be officers of the law who are not officers of the law in the special cases, thus virtually making law for themselves to administer. Making the law, they could make it to please themselves, which was a very convenient arrangement for them, excepting for the existence of the Supreme Court of the United States, which, being beyond the influence of these petty prejudices, could not see things in the same light as the prejudiced judges in Utah, and therefore could not understand the propriety of mixing the judicial and legislative functions in the persons of the incumbents of the Utah bench.

Among these judicial peculiarities arising out of this assumed extensive jurisdiction are the persons, matters and things which these prejudiced judges assume to be on trial before them. Elsewhere it is understood that the business of the courts is to try persons, legally and regularly charged with crime, according to the established methods which the law has prescribed. But things are done differently here in Utah. A late chief justice was possessed with the mania, and he declared it from the bench, that the case before him was really the Government of the United States versus Polygamic Theocracy. He absurdly thought he had to try not a person or persons charged with crime, but a system of religion, and this he made his mission at every favorable opportunity while on the bench. An associate justice declared to a grand jury that the people of this Territory were on trial, the Government of the United States was giving them one more trial. And further the associate justice, by some occult psychological process, got it into his sapient noddle that it was his mission to threaten the jury and the people with some kind of indefinite terrible legislation which Congress would accomplish touching Utah, unless the jury acted in such and such a way. A judge must feel as wise as an owl to talk in that way to a jury.

We have also seen that an associate justice has considered it his business to put the "Mormon" church on trial, or, in other words, to try the question whether a member of that church is fit for a jurymen. But the most wonderful thing in this connection is the fact that a judge who had the uncommon sense to use the time of the court in considering such a question, had also the common sense to render a sensible decision upon it.

One of the most peculiar peculiarities of these prejudiced judges is the Satanic glee with which they make a prejudiced ruling which they hold to be non-appealable, and judging by their intense self-satisfaction over such rulings, one can imagine them laughing in their sleeves and chuckling to themselves, "We should like to see the superior court reverse that ruling! That is one of the things in which our power is stronger than their legal wisdom!"

We have many times suggested that these peculiarities were all wrong, but it has seemed to be of little avail, for the authors of them have been as blind as bats, they cannot see many things as they should be seen and as they really exist, and consequently they have run their own wilful course until they have run against a superior court snag, the checking force of which they were bound to acknowledge, although such has been the absolute blindness of their prejudiced minds that they have obstinately maintained that they are altogether right and the superior court is altogether wrong.

THE HOLLOW EARTH THEORY.

MR. AMERICUS SYMES is lecturing in the States upon his father's theory that the earth is a hollow sphere, widely open at the poles and habitable within, the inner surface, like the outer, being composed of land and water. Mr. Symes has collated a multitude of facts and arguments in support of his theory. Instead of being a solid ball, Mr. Symes contends that the earth is shaped more after the fashion of the rind of an orange, or the shell of an egg, open at each end, with the contents of the egg or orange taken out. With his theory there can be no centre of gravity, but an extended meeting place of gravitation, somewhere between the inner and the outer surfaces of the crust of the earth.

THAT HIGHER STANDARD OF MORALS.

IN that celebrated theological discourse the learned author declared that what was wanted here was "a higher standard of morals and equal and exact justice for all."

We did ask where we must go for that "higher standard of morals," but he answered, "Where?" In regard to the "higher standard of morals" which prevails generally throughout the Union, let us take the testimony of an eastern paper. The Chicago Times says—

"There is not a community in the American Republic where, at the very lowest estimate, half the male portion, married and single, are not adulterers in every sort of life."

If half are adulterers, then we may conclude that adultery is the standard of morals with half the men of America, "elsewhere" than in Utah. If at least half of the men in every sort of life are adulterers, then we may safely conclude that more than half of the men are so guilty, and therefore that with the majority of men in the United States adultery is the standard of morals. Is this the "higher standard of morals" which the Associate Justice wishes to see established here? What other can he mean, seeing that most of the men "elsewhere" have adopted it. But if it is, we pray that he will be sorely disappointed, and we rather think he will, notwithstanding the prevalence of that kind of "higher standard" all over his model "elsewhere." We do not think that "equal and exact justice to all" can be dealt out by adopting any such "higher standard of morals," how-

ever strongly it may be recommended by judicio-theological preachers. We earnestly protest against any such "as elsewhere" being foisted upon this community. The "Mormons" are not that sort of men, if the Associate Justice is.

Here is another extract, from the San Francisco Chronicle—

"The government seems to accept the idea that officials having the supervision of the whiskey business will invariably steal if they have a chance. This is a pessimist view which it is extremely unpleasant to endorse; and yet the facts seem to bear it out."

How does that illustrate the "higher standard of morals" and respect for the law prevailing in the Associate Justice's much-lauded "elsewhere?"

Local and Other Matters.

FROM TUESDAY'S DAILY, NOV. 18.

Flour for Camp. — Four wagon loads of flour, amounting, in the aggregate, to five tons, sixteen hundred pounds, passed up to Camp Douglas to-day.

Accident at the Fire. — This morning William Newson, a fireman, was struck by a fragment from the roof of the burning Bank building, which inflicted a deep cut about six inches long, in his hip. The wound was sewed up by a surgeon.

Spun Silk. — Bro. D. Graves, of Provo, brought into this office yesterday a specimen of spun silk, grown and spun at President B. Young's cocoonery the last season. The silk was grown and spun by Sister Dunyon. It is intended to commence ribbon weaving forthwith.

C. P. R. R. — The Central Pacific R. R. Co. has executed a \$10,000 gold mortgage on its lands in California, Nevada and Utah to raise money for completing the telegraph line from Roseville to the northern boundary of California, and from Lathrop to Visalia, and for the payment of debts. The interest on the bonds (six per cent.) is to be paid in New York in April and October. — N. Y. Journal of Commerce.

The Mormon Question. — The government will doubtless forbear to press the judgment for alimony against Brigham Young, as to compel payment would be a recognition of Ann Eliza's relations with Young as legal. The Attorney-General, to whom the case was referred, takes this view, it is understood. — Boston Statesman.

Infatuation. — Judge McBride seems to be strangely infatuated with the name of Clinton, and keeps on stating that that is the name of his client in the suit now on trial in the District Court. Yesterday he asked a witness under what circumstances he saw Miss Kate Clinton on the day her property was destroyed, and only the other day he denominated the suit as Miss Kate Clinton vs. Jeter Flint and others.

Threats and Abuse. — At 7 o'clock this morning while Mr. Fred. J. May was at work, assisting in pumping the Wasatch engine, at the fire, he was approached and called away by a man named Shaw, who demanded two dollars from him, and used the most foul and abusive language towards him, threatening to shoot a hole through him. The assault was without the slightest cause, excepting that Shaw was the worse for liquor. He was arrested by the police and taken to the City Hall.

Suggestions for Legislation. — In pursuance to an adjournment of a meeting held in the City Hall last Thursday evening, by persons whose names have heretofore been published, for the purpose of adopting measures for the preparation of suggestions to be presented to the Legislature for improved and additional legislation, the following individuals met in the same building last evening—

Z. Snow, sen., Chairman; George E. Whitney, Secretary; A. H. Raleigh, H. C. Goodspeed, A. C. Pyper, O. H. Patton, W. C. Dunbar, Hamilton Gamble, John R. Winder, Byron Groo, Henry Snell, L. S. Hills, J. C. Young, and Z. Snow, jr.

After the reading of the minutes by Mr. Whitney, and their adop-

tion by the meeting, the chairman presented the following

REPORT.

To the citizens of Salt Lake City, assembled pursuant to invitation to consider what (if any) steps can or ought to be taken in view of the approaching session of the Territorial Legislature, to place before that body such legislative suggestions as the condition and needs of the Territory require:

Gentlemen—Your chairman, in pursuance of the resolution adopted at our last meeting, imposing on him the duty of appointing committee men upon the several legislative subjects therein mentioned, begs leave to report the following

COMMITTEES:

Civil Practice Act—T. Marshall, C. W. Bennett, James B. McKean, J. G. Sutherland, George Crismon. Criminal Laws and Practice—Wm. Carey, C. H. Hempstead, A. C. Pyper, Frank Tilford, L. Cohn. Corporations—P. L. Williams, Hamilton Gamble, John Sharp, H. S. Eldredge, J. C. Royle.

Commercial Law—Stephen De Wolfe, J. N. Kimball, L. S. Hills, A. W. White, Wm. Jennings.

Estates of Deceased Persons—Le Grand Young, H. C. Goodspeed, Wm. H. Hooper, S. Kahn, L. W. Hardy.

Revenue Law—A. Miner, J. R. Walker, H. W. Lawrence, J. R. Winder, R. J. Golding.

Miscellaneous Laws—S. A. Merritt, Wm. Haydon, A. H. Raleigh, Geo. F. Prescott, Geo. M. Scott.

Statute of Fraud and Chattel Mortgages—Geo. E. Whitney, J. B. Rosborough, James T. Little, O. A. Patton, Sol. Siegel.

School Laws, J. L. Rawlins, J. C. Hemingray, H. B. Clawson, Angus Cannon, Byron Groo.

Marriage and Divorce—J. R. McBride, Ben Sheeks, Elias Smith, David O. Calder, C. K. Gilchrist.

Owing to the restrictions placed by your honorable body as to the number of committeemen to be appointed, the chair has been compelled to omit some of the names of the invited members.

The chair begs leave to suggest that as the financial problem is one of the most difficult with which a state has to deal, affecting materially the interests of the whole community, the committee on revenue should be increased. In the opinion of the chair, and other members of the bar thoroughly understanding mining laws and interests, representatives of the railroad and manufacturing interests of the Territory would materially aid and enhance the usefulness of the committee.

The law of marriage and divorce is of vital interest. The chair suggests an additional name to its committee.

If there is one subject more than another which the experience of the Territory has demonstrated the law to be deficient upon, it is that of the estates of deceased persons. The chair would suggest additions to its committee and prompt action by the same.

The subject of schools is one of vast scope, and in my opinion its committee should be increased so as to include representatives of the educational interests of the Territory. Would it not be judicious to send invitations to Superintendent O. H. Riggs, Dr. John R. Park, Prof. J. M. Coyner and other prominent educators who have not heretofore been invited to this meeting, requesting some or all of them to act upon this committee?

Z. SNOW, Chairman.

On motion of Mr. Whitney the chairman was added to the Committee on Estates of Deceased Persons, and the report was then adopted.

On motion of Mr. Whitney the suggestions of the chairman in regard to making additions to several of the Committees were adopted, and, consistent therewith, Prof. O. H. Riggs, Dr. J. R. Park and Prof. J. M. Coyner were added to the Committee on School Laws.

Mr. O. H. Patton presented the following

RESOLUTION,

which was adopted and referred to the Committee on School Laws—

Whereas we have been taught by all enlightened human experience that a bad education is dangerous to the best political constitution; and

Whereas those who are properly educated and trained heartily and

scrupulously conform to all good institutions of their country; and,

Whereas there is nothing so conducive to the security and integrity of all good governments as the education of the people in early life, by means of which only a perfect scheme of morality can be inculcated, inspiring a love of obedience to law rather than an enforced obedience through fear of punishment; and,

Whereas we know, as the result of the experience of our own country, sustained by the universal experience of all the enlightened nations of the old world, that the most direct and practicable means of promoting so great and desirable an end is through a liberal and catholic system of public instruction; therefore,

Resolved that the children are the strength, glory and hope of the nation—the flower from which springs the fruit; that it is the first duty of the law-making branch of the government to provide conformably and accommodated to the condition and genius of the people a system of free schools for the thorough education and training of the youths of the territory; and we urge upon the legislature of Utah to take immediate and serious action to the end that so important a result may be attained to.

The Secretary announced that he would notify the members of the various committees of their appointment, when the meeting adjourned for one week.

From the Missionaries.—The following are letters from some of the missionaries lately gone eastward—

NEW YORK, Nov. 9, 1875.

Editor Deseret News:

We are all on the *qui vive*, getting ready to go on board the *Wisconsin* by 12 o'clock m.

Brothers W. M. Evans and John S. Hawkins, of Nephi, joined us yesterday, which makes our party nine in number. Brothers Jeremy and Llewellyn have not yet arrived, and if they do not come soon they will not be able to sail with us.

Brother Evans got robbed on the way from Omaha to Chicago, and Brother Hawkins had to lend him money enough to take him to this city.

Bros. John W. Young and Rudger Clawson paid us a visit yesterday at our boarding house; we were very happy to see them.

As soon as Bro. Young became acquainted with Bro. Evans' misfortune, he, without being asked, very generously handed over to Bro. Evans enough money to pay his passage to Liverpool and his expenses here God bless him for the good deed.

In my last I sent you the names of all who were then here, and in this you have two more names for Europe.

Your Brother in the Gospel,
J. C. SANDBERG.

OMAHA, Friday Evening,

Nov. 12th, 1875.

Editor Deseret News:

The party of missionaries who left Salt Lake City on the 10th inst. arrived here on time this evening, all well, after a pleasant trip, with strong indications of coming winter in great altitudes.

Elders Isaac Bullock, and L. S. and L. G. Woods go out into Iowa a short distance this evening, to visit family relations and friends.

Elders H. M. Alexander and J. Deal remain in Omaha a few days before leaving for their more special destinations in Indiana.

Mrs. E. R. Shipp, who accompanied the party from Salt Lake, proceeds to the Woman's Medical College at Philadelphia, with the design of fitting herself for the practice of medicine in Utah.

Elder F. Little and myself remain here to-morrow, waiting the arrival of Elder J. W. Fox, junr., who was accidentally left behind at Ogden.

We shall leave here for St. Louis, via Independence, Mo., on the afternoon of the 14th inst.

JAMES A. LITTLE.

In Town.—Elder Orson Hyde, of Springtown, Sanpete county, reached this city last night, having left his home last Thursday. On the way up he stayed and preached at Santaquin, Payson and Piontown. He is in the enjoyment of excellent health, and reports that, generally speaking, everything is pleasant