

EDITORIALS.

A FAIR AND ABLE REPORT.

We publish to-day the minority report of the Committee on the Judiciary of the U. S. House of Representatives, on the measure introduced at the last session of Congress and now known as the Tucker-Edmunds bill. It was filed with Senate bill No. 10, and emphatically dissents from the views set forth by the majority of the committee in regard to that remarkable piece of special legislation. The printing of this report was delayed because of the absence from Washington of the gentlemen who reported it, and to whom the proof sheets had to be referred before publication. We have but recently secured a copy.

It makes excellent reading. It has been evidently prepared with care, and its authors have thoroughly studied the bill which it opposes and the report of the majority from which it dissents. The wrongs contained in both are set forth and denounced, the unlawfulness and unconstitutionality of the chief provisions of the bill are proven in a masterly manner. Also the sections which assume to repeal Utah statutes which have no existence are pointedly designated. The infamy of the proposition to interfere with the property of the "Mormon" Church and to disfranchise and deprive of all political rights a large body of citizens solely because of their "associations," is depicted and condemned as opposed to every principle of our jurisprudence.

If the bill is discussed in the light thrown upon its enormities by this minority report, we do not see how any conscientious member can vote for its passage, nor how any lawyer can support it except on the grounds of rabid and unreasoning anti-"Mormonism." We understand that it would have been signed by other members of the committee if it had been prepared in time. But the majority report was finished so late in the session, that this had to be hurried so much that it failed to receive that attention which its merits demanded. We recommend it to the study of all who are interested, pro and con, in the scheme to despoil the "Mormon" Church of its property, and rob the majority of the people of Utah of the commonest rights of American citizens.

MANIFEST INJUSTICE.

The case of Wm. Geddes, of Plain City, deserves more than the notice given in the account of the trial in the First District Court. The consideration of other matters has occupied all the space at our command. The defendant was convicted of unlawful cohabitation, although the evidence was positive that he had lived only with the legal wife. The defendant and his two wives, all testified, the wives, being called by the prosecution and Mr. Geddes and the legal wife for the defense. Their united statements under oath, were to the effect that the accused made an arrangement with his plural wife just before the passage of the Edmunds law, by which he would cease to live with her and that he had not cohabited with her, since July 1st, 1882. He had gone occasionally to the farm where she lived, to talk with the boys on business. Other witnesses had seen the defendant about the premises, in the corral and in the yard, but always in the day time. There was no testimony showing that the accused had lived with his plural wife one day or one night during the whole period covered by the indictment. Yet he was convicted on four counts.

If the reason for this kind of "justice" is wanted, it will be found in the rabid and absurd demand of the Prosecuting Attorney, upon a jury so selected that conviction was almost as certain as indictment. Mr. Dickson worked upon the prejudices of a picked anti-"Mormon" jury, by declaiming against the "Mormon" Church and denouncing the defendant as a member thereof. And also by such reasoning as this:

"Gentlemen, if the defendant has visited the house of his plural wife during the time covered by the indictment for any purpose whatever, and if he has eaten in her house once during that period, it is cohabitation and he is guilty as charged."

The Attorney further warned the jury, according to the report of the trial, that if the defendant was allowed to escape, and if he would be permitted to go to the house of his plural wife to see his children, one time or a dozen, polygamous homes could not be broken up, but if they would do their duty the time would come when "this Church of the 'Mormons' would bow her neck in the dust." Thus, the defendant was made the object of wrath and vengeance as a member of a religious society obnoxious to the Prosecuting Attorney and the jury, instead of being tried only on the merits or demerits of his case as demanded by law and justice.

The evidence in the case of Mr. Geddes was clear, that he had made bona fide arrangements with his family to live according to the requirements of the Edmunds law, and had done so in fact, living only with his legal wife, and

deeding to each family their respective portions of his real estate. If this was not compliance with the strictest construction of the terms of the statute, we do not know how it can be obeyed by any one retaining in his bosom a single spark of humanity.

But Mr. Dickson claimed, as reported, that the object of the law is "to break up and destroy polygamous families root and branch." We dispute this construction and defy Mr. Dickson to substantiate it, by the language of the law or any inference from it that can be fairly deduced. The law provides penalties against men who contract polygamous marriages, and those who cohabit with more than one woman. Its object, no doubt, is to bring to an end the practice of plural marriage. But there is nothing in it that makes the polygamous status a crime, or requires a man to renounce his relationship to his wives and children. And any prosecuting officer who attempts to deceive a jury by claiming that it does, or that the law's intent is to break up and destroy existing families, goes outside of his official province and perverts, misinterprets and, in spirit, violates the law. By endeavoring to overawe a jury and to arouse their prejudices and passions so as to procure the punishment of the accused, when the evidence fails or is defective, such an excessively zealous official would descend to the role of the despicable pettifogger, and proclaim his unfitness for any official position and his unworthiness of public respect.

It is difficult to determine, in view of the evidence, even giving a full estimate to the aroused prejudices of an anti-"Mormon" jury, on what rule they found the defendant guilty on four counts. But it seems that consistency has no place in the minds or conclusions of juries more than prosecutors, when the determination is to "cinch a Mormon." And when the amount of the fee is contingent on the conviction of the accused, it is easy to understand why mercenary attorneys might try to impress the jury with the notion that to convict the defendant is a bounden duty. The gratification of deep malice and boundless greed, are in the nature of things, combined incentives to vindictive energy.

In commenting upon the violations of law and justice which characterize so many prosecutions of "Mormons," convicted of an offense which the evidence shows they have not committed, we wish it to be distinctly understood that we do not argue as to the moral or religious righteousness of the course pursued by the accused. Our criticisms of the pleas of prosecutors, the rulings of courts and the verdicts of juries have nothing to do with our views of the acts of men and women in a family capacity. Those who construe our denunciation of proceedings against men who have tried to obey the Edmunds law, into an endorsement of the arrangements made with their families, exhibit a very shallow capacity for logical reasoning. We do not consider it our province to interfere in any way with a man's family concerns. If the families themselves are satisfied with any arrangement made by mutual understanding, that is their business, not ours. Neither does it concern the gossips who seek to find fault with things that they cannot understand, from the fact that they have not been parties to the agreement nor been consulted as to its propriety.

When a verdict in our view is contrary to evidence, when a public prosecutor urges conviction in face of testimony that seems to exculpate the accused, and when courts appear to exhibit a bias against a defendant because of his faith and extraneous to the matter on trial, we expect to condemn such manifest injustice no matter what we may think of the course of the accused as a question of religion and propriety. A man may be unwise, or even radically wrong, in his treatment of his family and yet be guiltless of breaking the Edmunds law. And if we disapprove of his conviction against the evidence, it does not follow that we approve of his family government, his mode of living, or his deportment as a husband and father. They are totally different things, and we do not presume to applaud or condemn purely private and domestic affairs which concern only the parties themselves. We condemn what appears to be a palpable and public wrong, and that is the end as well as the object of our criticisms.

A STRIKING ARGUMENT.

ONE of the most striking arguments that has been advanced in favor of prohibition, is embodied in a statement made by a correspondent in Iowa to the New York *Evening Post*. He furnishes the report of a meeting in that State at which seventy sheriffs were present, who unanimously agreed that since the passage of the prohibition law, court business has decreased in Iowa 50 per cent, although the law has not been thoroughly enforced in several places.

As no law is fully and completely enforced, and crimes are committed against every legislative enactment, it is no argument against prohibition that it does not fully prohibit. And if in Iowa it has the effect of reducing by one half the crimes which follow intemperance, there is evidence beyond doubt that most excellent results do accrue from prohibition.

In Rhode Island the system has not yet had time to manifest its power in the suppression of inebriety and the diminishing of crime. But the belief is growing that the evils of the liquor traffic are of such a nature and magnitude that legislation, though it may not be able to work a perfect cure, can and ought to be brought to bear to bring these evils down to their lowest minimum. Prohibition is a live issue of the times.

DON'T YOU DO IT.

CALIFORNIA is undergoing another siege of excitement over speculations in mining stocks. The result will be the enrichment of a few and the ruin of a multitude. These tides of speculation ebb and flow and leave thousands stranded on the shores of disappointment and distress. Stock gambling—for it is nothing less, has a most pernicious effect on all who engage in it. Occasionally in California it becomes a kind of mania. People of all classes, professions and conditions rush into the whirlpool, and most of them are seriously injured, while many go down to the depths of destruction.

When once the temptation to secure wealth without work, and by some sudden expected turn of the wheel of fortune, seizes hold of a man or woman, it usually unites the individual for legitimate business. Ordinary occupations are neglected. Excitement, suspense, violent fluctuations of feeling, sudden successes or reverses, superinduce an unhealthy condition of body and mind, stimulants are resorted to, association with spendthrifts, ensues, habits of idleness are formed, anticipated gains make an excuse for relaxation of energy, and the results are disastrous to those who fall into the rushing stream and indirectly to the whole community.

Speculation in stocks is not viewed in the same light as playing on the green cloth for cash, because it is under the ban of the law. But it is gambling all the same, and is entered into with the same spirit, and produces similar baneful effects. There is as much trickery about it, too, and the jobs that are put up to fleece the unsuspecting are as vicious, dishonest and swindling in their character as cheating at cards or fleecing with loaded dice.

An advertisement which appears in this as well as other papers, says: "Now is the Time to Speculate," and goes on to tell where and how to make money by that method. We say to our readers, now is not the time to speculate in any such fashion. The inducement thus held out is fallacious and fraught with evil. Do not be tempted by any baits of that kind thrown out to catch gudgeons. The firm that transacts such business may be respectable after the fashion of the world, and do business on a strictly legal basis; that is to say, so as the law cannot touch them. But the whole thing is a snare; and those who are entangled in it are not wise.

We warn all people against it, and advise everybody against speculating in stocks, east or west, as an unhealthy, unsatisfactory, foolish and dangerous undertaking, that annually counts thousands of victims who are swallowed up in the depths of ruin and despair. When you are invited to take risks of this kind, don't you do it.

FIELD-MARSHAL FIELD.

It appears that resolutions passed by local posts of the G. A. R., endorsing Kate Field as an anti-"Mormon" lecturer, have been concurred in by the leading officers of the national organization—including L. G. Fairchild, Commander-in-Chief. For the time being, therefore, the bitter spirited little woman will lecture under the auspices of the G. A. R. She has practically been elected "Field-Marshal" in the Grand Army onslaught upon the poor "Mormons."

This movement seems to be in unison with the patriotic statement of the Rev. Dr. Dunning, who was one of the speakers at the local anti-"Mormon" alleged camp-fires in the skating rink in this city, last August. In denouncing what he falsely claimed to be "Mormon" non-appreciation of the tender sex, he exclaimed, with hyperbolic fervor, "We marched our wives and daughters from the depot ahead of us to show how much we thought of them."

This movement on the part of some of the representative men of the G. A. R. is not what might be called a stalwart one. It may, however, be quite appropriate for them to be thus represented. It is not likely to improve the quality of the platform little-tattle of the little female busy-body and will not cause people to be any more eager than formerly to rush with their hair streaming in the wind to get a front seat in order to inhale her exaggerative and flutulent utterances. Her vapors on the "Mormon" question are getting pretty threadbare, and no kind of application of besic and brushing by the G. A. R. can give them the gloss of freshness.

Such steps as the one in point—the outgrowth of the anti-"Mormon" splurge inaugurated by the political

schemers located in this city—have but one purpose. This is to manufacture prejudice against the Latter-day Saints and force the administration to shape its course accordingly towards the majority of the people of Utah.

There are a number of ingredients which are likely to go against the scheme. One of these lies in the fact that while the administration is Democratic, the G. A. R. is, as a whole, ultra-Republican, and, therefore, unalterably inimical to the national powers that be. Here comes in the old proverb: "If you know what your enemy wants you to do, don't do it." Perhaps the idea will strike the administration.

Another point in the same connection, is that a large proportion of influential members of the G. A. R. are not in harmony with the crusade. Those belonging to that sensible class look upon it as entirely outside the province of the organization, and refuse to countenance proposed anti-"Mormon" assaults to subserve political ends.

AN ALLEGED HORROR-INSPIRING FREAK OF NATURE.

A RECENT issue of the Chicago *Daily News* contained the following letter from a sparsely-populated portion of Texas. The statements appear to be almost too extraordinary for belief; otherwise the letter has all the appearance of being authentic, and is accepted and promulgated by our Chicago cotemporary as of that character:

"The greatest excitement prevails here. Nothing is talked or thought of but nature's great convulsion last night. At a point seven miles southeast of this little country postoffice occurred last night one of the strangest freaks of nature recorded in the annals of the world's history. At the above-mentioned point is the confluence of two creeks—Post Oak and Chambers—the latter quite an important stream, and what would be called a river in the New England States. Here is located the cause of the terror and excitement that have got hold of the people. An immense upheaval has occurred at that point, causing a rent in the earth that is horrifying to look upon. The topography of the country before this agonizing kick of old Mother Earth was almost a dead level. It is one vast creek bottom, covered with dense timber, or was such before this occurrence. To-day a yawning chasm, fifteen miles long and more than fifteen hundred feet broad, starts one in the face who has the courage to look at it. A dense cloud of black, sulphurous smoke rises slowly from its rumbling mouth. Intense heat prevails at a distance of half a mile on either side of this vast and terrible crater, and, to add to its awful grandeur, it intersects Chambers creek just below its union with Post Oak, thus forming quite a large body of water, that plunges into this bottomless chasm with a jar and a thundering tone that can be felt and heard for 22 miles. The nearest telegraphic station to this point is Corsicana, 35 miles away. The people in this neighborhood are a thrifty though illiterate class of planters. They are naturally superstitious, and this wonderful phenomenon has just run them wild. They spend their entire time praying and sinking. They have abandoned their fields to prepare for the awful doom, as they suppose, in store for them. They neither eat nor sleep, only as they are exhausted. A portion of the time to-day a strong east wind has been blowing, driving the heat to the west side of the opening, so that your correspondent could approach sufficiently close to examine partially the inward appearance of the jaws of hell. No language, however awful or eloquent, could approach even a faint picture of so grand yet so fearful a scene.

"Imagine a fiery opening in the earth fifteen miles long and 1,500 feet wide belching forth great clouds of black sulphurous smoke, from beneath from which come the deep mutterings of subterranean thunders whose voices speak only through the open mouth of hell, then may you form but a slight idea of this scene. As the wind moves the huge volume of smoke aside it reveals huge monsters of every hideous and conceivable shape writhing and twisting in the molten mass beneath. Sounds and murmurs like human voices in the awfulest agonies seem to come from right under your feet as you stand on the brink of this horrible chasm. Various theories have been advanced by experts and old women as to the meaning of all this unrest of old Mother Earth. There is no doubt in the mind of your correspondent that it is associated with the recent earthquakes at Charleston, S. C.

"What the result may be before nature resumes her equilibrium in this section is hard to tell. It has already resulted in the destruction of 25 fine ranches, 700 head of stock, 13 dwelling houses, and about 3,000 acres of fine timber have been swallowed up. The loss of human life amid the present excitement is impossible to ascertain, but is supposed to be frightful. People are gathering up their effects and fleeing from the country in wagons or horseback, in wheelbarrows, and on foot. Great suffering and destitution must follow in the wake of such wholesale destruction of life and property. The atmosphere for 20 miles around has an intense sulphurous smell. Unless to-morrow's sun has a

tendency to purify the atmosphere or lift this sulphurous odor your correspondent will be compelled to take up his retreat with the break of day.

"Animals, birds, and insects, even to the vivacious Texas mosquito, are leaving the neighborhood of this awful display of nature's fireworks. Horses, cattle, hogs, and dogs are lying dead through the timber, suffocated with the sulphurous gases that seem to be oozing from the ground. The ground is so intensely heated for ten miles around that every living spear of grass and all the timber is dying. The picture of desolation and woe is frightful even to contemplate, but imagine what it is to one in the midst of all this loneliness. Aside from the rumbling noise beneath your feet the silence is painful.

"I send this communication by horseback mail to the nearest railroad point, thirty-five miles away, and will write you more fully when my brain and nerves get steadier and I get out of this infernal region."

WHEREIN LIES THE DIFFERENCE.

A FEDERAL JUDGE is reported to have expressed his inability to understand why a "Mormon" defendant in a case of unlawful cohabitation, who claims to have lived according to the Edmunds law in the past, cannot conscientiously promise to obey it in the future and thus escape its penalties. As this is, no doubt, a matter of misunderstanding with many, we offer some remarks which may help to clear up the confusion of mind with which they appear to be troubled.

There is a wide distinction between obeying the Edmunds law as it stands on the statute books of the nation, and promising to submit to it as construed by the courts. We will pass by the question of its unsettled meaning which has been changed so many times that it has been noted for its chameleon-like and kaleidoscopic character, and admit for the sake of argument, although it by no means appears as a fact, that the latest or newest construction is permanent. Then let us see the difference between living according to the law as it was enacted, and bowing to the law as construed by the courts.

The law provides penalties against "cohabiting with more than one woman." Cohabit means, to live with. Taking one part of the statute with another, it may be claimed that in this law it means to live with more than one woman as wives, although the law does not say so. But supposing the words "as wives" may be inferred, or that they were actually inserted in the statute. The offense would be incomplete if the person accused of violating the law had not, since its passage, actually dwelt with more than one woman as his wives.

With this understanding, then, suppose a "Mormon" with two or more wives makes an arrangement with his family which is satisfactory to them, that while the law remains as at present he will make his home with but one wife, and that his associations with the rest of his family shall be only such as are necessary to provide for their necessities, look after the welfare of his children and render such aid as humanity and honor demand. That his actual marital intimacy, such as had existed before, thereupon ceased with all except the one wife agreed upon. That the visits which from that time he made to the other portions of his family were only such as might be paid to any individual needing sympathy or assistance, and involving no actual cohabitation, that is, dwelling with, either as a wife or otherwise. Would not that be living within the law, as it is written and with those words added, which, as claimed, may be inferred from the context? We say that it would. Common sense says so. And only strained, perverted, unusual and absurd constructions of the law could pretend otherwise.

And this is what a number of men who have been sent to prison for unlawful cohabitation understood to be the meaning of the law, and what they actually governed their living by. In some cases the wife having young children to care for was selected as the one woman to live with. In others the legal wife, irrespective of such considerations, became the only one cohabited with. But this appears to make no difference in the construction of this conduct by the courts. The accused is condemned if it is made to appear that he has treated a plural wife with as much courtesy or kindness as might, with the utmost propriety, be shown to the greatest stranger. If the defendant has visited her when sick, called to enquire after the condition of his and her children, accompanied her to a religious meeting, or to a place of amusement, sat down at the same table to eat in any place, or met her with no more privacy or indication of dwelling with than if she was a casual acquaintance either of these acts, innocent in nature, is claimed as proof of cohabitation, and juries are called upon, with vehement declarations as to their duty, to convict a defendant who admits or is shown to have committed the harmless act.

One of the wide distinctions between living the law as it stands, and obeying it as construed by the courts, then, may be seen at a glance by any one