

## EDITORIALS.

## INCREASING INTEREST IN THE GOSPEL.

THERE are indications of increasing interest, in various parts of the Union, in what are generally termed "Mormonism" and the "Mormon" people. We are frequently in receipt of letters from various parts in the northern, eastern, and southern States, inquiring into the nature of the principles professed by the Latter-day Saints, and desiring to purchase the publications of the Church, descriptive of the doctrines thereof.

Not infrequently we also receive expressions of a desire that some of our Elders would happen around the writer's locality, and offers of paying the expenses of any such travelling Elder are made.

These facts are indicative of a desire to know more concerning our people, their principles and practices, and the great work in which they are engaged, and indicative also of a wide-spread dissatisfaction with the present religious, social, and political condition of the Union at large.

The manifestation of this spirit of inquiry causes extended circulation in the States of the NEWS and the various pamphlet and book publications of the church, and it is hoped will be the means of bringing many people to the knowledge and obedience of the truth.

While there are many nations and peoples in the Old World among whom, from a variety of hindering causes, it is difficult if not impossible to publish the gospel freely, it is also a matter of congratulation to all lovers of the truth that many representatives of those bound up nations and peoples emigrate to the United States, where they hear of the gospel, and where they can have free access to the publications and elders of the church, and be instructed in the principles of salvation. They can then write back to relatives and friends in their native countries, and bring them also to a knowledge of the truth. Thus, in one way or another are the principles of the gospel of Jesus Christ spread abroad, not only in this nation, but in many nations far away over the wide ocean.

## JUDICIAL DISCRETION AND RESPONSIBILITY.

In the case of *O'Connell vs. Moschowitz*, in New York Court of Common Pleas, January 7, before Judges Daly, Robinson and Lawrence, on appeal from judgment of Judge Fowler in the Third District Court, the doctrine of judicial discretion was discussed, as thus reported in the *New York Herald*—

"George F. Langbein, counsel for appellant, argued that if the undertaking offered was correct in form and the sureties therein were sufficient, Judge Fowler should have signed the order of removal, that he had no jurisdiction to render judgment or to take any further action in the case, that he was *functus officio*, and that his jurisdiction was arrested except to adjourn. Referring to the case of *Hogan vs. Devlin* (2 Daly, 184), he insisted further that the Justice was bound to accept and approve any one or more responsible sureties, and that if the sureties were good in law upon the face of their sworn examination, the Justice could not from mere willfulness, caprice or whim object or disapprove of them. This doctrine, he claimed, is conceded to be law in the case of *Adams vs. Ives* (8 New York Supreme Court Reports, 1 Hun.), in the opinion of Judge Talcott. The Justice was to exercise a judicial discretion—a legal discretion to be exercised in discerning the course prescribed by law. When that is discerned it is the duty of the courts to follow it. It is to be exercised, not to give effect to the will of the judge, but to that of the law (*Tripp vs. Cook*, 26 Wend., 143, 152). It must be a 'sound discretion,' as said Judge Brady in the case of *Hogan vs. Devlin*.

"Thomas Henry Edsall, counsel for respondent, argued that the Justice had a right to satisfy himself, and that in this case the Justice had stated he was personally acquainted with one of the sureties, whom he would not accept.

"The Court unanimously reversed the judgment, the Chief Justice stating that the sureties being sufficient in law, as shown by their sworn examinations, the Justice was bound judicially to approve the undertaking and sign the order of removal. He adds, further, that a judge should have no private reason; it must be a judicial reason, and not an arbitrary, whimsical or capricious reason."

In regard to judicial responsibility, here is a paragraph from the *Washington Star*—

"Mr. Edward Lange, convicted in the United States Circuit Court of New York of an unlawful use of mail bags, was erroneously sentenced by Judge Benedict, of that court to fine and imprisonment. The first part of Mr. Lange's sentence having been fulfilled, the U. S. Supreme Court decided that the second part—imprisonment—was enforced without authority of law, and the prisoner was discharged. Thereupon he brought suit for false imprisonment. A demurrer was set up by the defendant, on the ground that a judge was not liable in a civil action for damages, notwithstanding the commission of an error. Judge Van Brunt, of the Supreme Court, has overruled this demurrer, deciding that a judge of a court of general jurisdiction makes himself liable to an action when he attempts to enforce a judgment, which he knows to have been satisfied. The ultimate decision of this case will be looked for with interest."

UTILIZING SLAG.—At the iron works of the George's Marien Hutte, near Osnabruck, Hanover, Prussia, Mr. C. R. Roelker, U.S.N., last year saw some improved processes connected with the utilization of the slag from smelting furnaces. Heretofore this product has been used for making road-beds, and has been run into moulds for building stone. But Mr. Hartman, formerly manager of the works, invented other processes of usefully disposing of this material. The slag overflows from the high furnaces into a narrow gutter formed in the sand, and runs into a shallow pit, through which a small stream of water is constantly flowing, which chills the slag. An endless chain lifts the chilled slag out of the pit into cars. It is then either ground fine in a cement mill, forming a sharp building sand, or it is mixed in a trough, with half its bulk of mortar, by three revolving shafts armed with long blades, and then shoveled into a machine and made into bricks at the rate of twenty five a minute. The bricks are piled in the open air for drying, which occupies about six weeks. They continue to harden by exposure to the air and are said to possess greater strength than ordinary burnt bricks. They are of a light grey color and their roughness of surface enables them to hold mortar admirably, though their absorption of moisture unfits them for use in foundations.

By another process a thin stream of fluid slag, falling from another gutter, passes the flattened and semi-circular nozzle of a one and a half inch steam pipe, through which a jet of steam is blown with a pressure of fifty pounds per square inch. The slag is thus solidified in the shape of delicate fibres resembling spun glass, and falls to the ground like a loose mass of grayish wool. This fibrous stuff is an excellent non-conductor of heat, is used for covering steam pipes, boilers, etc., and is sold for five dollars per hundred weight.

THE COMMITTEE AND NEW ORLEANS.—The report of the sub-committee sent to New Orleans not being satisfactory to the party in Congress, and the resolution that the whole committee shall go to that city and report, induce the *Denver Tribune* to suggest the following—

"A congressional committee, by the exercise of care as to the wit-

nesses they summon, can, of course, obtain the evidence to make up just the sort of report that suits a majority of its members, and suits the exigencies of their party."

WALKING AND ROWING.—On the 21st of December, Perkins, the champion English walker, attempted to walk eight miles within an hour for £200. The *London Standard* says—

"The late snowy weather had no effect on the path at Lillie Bridge, West Brompton; it had been carefully rolled, swept and ashed and was in excellent order, but the afternoon was cold and freezing—not a day that would be selected for a great feat. Nor is December, either, the season for outdoor training for such a task. So thought the friends of time, and they backed it at six to four. Perkins had been training down in the country and had done, it was said, eight and a quarter miles in the hour; but more is generally done in trials than in the race, and people are not often led away by these rumors. There was a very large attendance—over 3,000 people in the stands—who were very hearty in their applause, and as each lap was done they watched the electric clock most eagerly. *Bell's Life* was referee, but no caution or appeal was once made—Perkins' style was too fair for remark."

The first "lap" (one-third of a mile) was done in 2 min. 5 sec., first mile in 6 min. 55 sec., two miles in 14 min. 37 sec., three miles in 22 min. 24 sec., four miles in 30 min. 33 sec., five miles in 38 min. 36 sec., six miles in 46 min. 45 sec. At the sixth mile he was 1 min. 48 sec. behind time. He made another lap, total time 49 min. 29 sec., and then stopped, "quite knocked up." It is believed he can do the eight miles within or nearly within the hour if he selects more genial weather.

Perkins beat Stockwell at Lillie Bridge last Spring, by covering three miles in 20 min. 47 sec.

Davidson, an old walker, in his time came nearer than any other man to eight miles in an hour.

On the 21st of December, two veteran oarsmen, Thomas Winship and Robert Bagnall, of Newcastle, on the one part, and Robert Watson Boyd, of Gateshead, and William Lumsden, of Blyth, two younger aspirants, on the other part, rowed a pair oared race for £200 a side on the Tyne on the lower reaches of the river, distance about three and three quarter miles. Boyd and Lumsden won easily by six lengths, rowing as well and as fast as the close as they did at the start.

THE NEW MICHIGAN SENATOR.—Hon. Isaac P. Christy, the newly elected Senator from Michigan, we learn, is a gentleman of conservative leanings, of acknowledged intelligence, integrity and high character, widely respected and honored in that State and wherever known. The people of Michigan, the Senate, and the country at large may be congratulated upon the election of a man of that character to the U. S. Senate from Michigan or from any other State.

CROSSING THE CHANNEL.—Englishmen and Frenchmen are concerned about the methods of crossing the English Channel, between England and France. It is a narrow but tempestuous piece of water, say about as wide as from here to the Point of the Mountain south of this city. It has been heretofore crossed, of late years, in small steamers, which almost invariably insure the unpleasant affliction of sea-sickness to landspeople. Various methods have been suggested of avoiding or nullifying this unpleasant attendant of the channel passage. One is the construction of piers on each shore, suitable for the largest steamers, so that by the use of such vessels the liability to sea sickness would be reduced to a minimum. Another is the construction of a subterranean tunnel through the chalky ed of the channel. A third and the latest is the construction of an artificial isthmus between the two

shores, leaving a small space in the centre for the passage of ships. It is estimated that the construction of such an artificial isthmus, or more properly twin promontories or peninsulas, would not cost much more than boring a tunnel, while the advantages would be much greater in many respects.

All three are magnificent projects, the two last especially. But the first seems the most feasible and most sensible, next the second, and the tunnel the least desirable of all, for many people would have insuperable objections to taking passage that way if the tunnel were an accomplished fact and a success. Of course if a ten or twelve mile pier or promontory were thrown out from each shore the railway would be carried along it, as it would along a tunnel. But look what a mountain of earth would have to be carried into the sea to accomplish the promontory project.

A BIG THING ON ICE.—A winter railroad on Lake Superior is proposed by a Duluth paper, to extend the whole length of the lake, from Duluth to the Sault, about 400 miles. Advantages claimed for such road—no grading required, dead level track, last all Winter till April, ice thick enough to sustain a train of cars, freight cars could be transferred to and from the ice without re-loading, rails could be either spiked to the ice or fastened in a frame and laid on the ice without spikes, every Spring the track could be taken up and stowed away till Winter again.

NEW INVENTION IN FISH CULTURE.—Here is a paragraph from an eastern paper, worthy of attention by pisciculturists everywhere—

"Seth Green writes from Rochester that he and his brother have invented a new method for transporting and hatching nearly all kinds of fish eggs, and can hatch one million daily by the use of only a pail of water. Brook trout, salmon trout, white fish and salmon are the spawn they have experimented upon. By properly regulating the temperature of the room hatching can be effected in from 50 to 150 days. The invention enables spawn to be carried on a journey of 130 days without any more loss than in a hatching house."

A HAPPY MAN.—A short time ago Rev. H. W. Beecher told his Plymouth Church people that heaven was the next place to Plymouth Church, and those were the only two places for him. More recently, at a Friday night's prayermeeting, he said to his congregation that, instead of being a poor suffering creature, he was "probably the happiest man in the room," that he had rolled off his burdens and was "certain of glory and salvation in God."

If H. W. B. is a maligned and innocent man he has no cause to be otherwise than happy. But some of the newspaper men seem to be slightly incredulous over the gentleman's expressions of joy in his present situation and his certainty of salvation. The *New York Sun* comments in the following style—

"The Plymouth church people are both jolly and thankful, while their pastor is mysterious. There is one principle on which they may will be jolly, and that is the theory of the old salt. 'I am always happiest,' said he, 'in the height of a storm. When it lightens like blazes, and the thunder roars like the crack of doom, and rain, hail, and snow pour down, and the seas run high, and it looks every moment as if the ship must inevitably go to the bottom, then is the time that I always feel happiest; because I know that there cannot be any chance which will not be for the better.'"

"At the Friday evening lecture Mr. Beecher himself was remarkably mysterious. 'I wish I could say what I want to say,' he exclaimed. Well, really, we are unable to see why he could not have said it. As he went on talking a good while, and could not say what he wanted to, we conclude he said what he didn't want to."

BARBAROUS MANNERS.—It is reported that some of the incidents connected with the visit of King Kalakaua to Chicago were not in good taste. In his visit to the board of Trade in that city, it is stated that he was subject to unpardonable insult. The younger element present hooted, yelled, whistled, accosted the King rudely, and some commenced to sing, "The King of the Cannibal Islands." One shouted, "Shoot the King;" another, "Fling him a baby for luck."

The King behaved himself like a gentleman, in striking contrast to the conduct of those American Christians, but no inducement was sufficiently strong to cause him to make a speech to them. Silence was his most effective weapon against such insults.

EX-SENATOR NYE.—According to the *Pittsburg Dispatch*, "Ex-Senator Nye, of Nevada, one of the best looking men and most humorous and elegant orators, whom the United States Senate has contained in our day, is lying at the residence of his daughter, in New York City, a complete wreck." The *Dispatch* continues—

"A few months ago Senator Nye was struck with vertigo in the street and taken home. It was noticed soon afterwards that his mind was astray, and he could not answer questions with any appositeness. Long intervals of memory and consciousness would return for days, and then the intelligence would grow wayward again. Two or three days ago he imagined himself dead and waiting for his coffin. Another time he desired to take his own life. He suffered no pain whatever, but his physician pronounced his disease to be a probable incurable softening of the brain that would soon relieve him from human help and pity."

## Local and Other Matters.

FROM TUESDAY'S DAILY, JAN. 26.

A Butt.—Francis P. McElroy is often in the chain gang. Yesterday he was free, however, got intoxicated, and while in a saloon in that condition, a party there made a kind of a butt of him, by tripping him, putting eggs in his hat and jamming it upon his head. This morning the practical joker was fined \$5 and McElroy \$15.

Improvement Association.—A Young Men's Mutual Improvement Association was organized in the First Ward on Monday, with the following officers:

President, John Siddoway; 1st Vice President, James D. Van Tassel; 2nd Vice President, Robert Braby; Secretary, Reigo Hawkins; Treasurer, Sisson A. Chase.

A Combative Hackman.—Yesterday evening a hackman assumed the disreputable role of the pugilist, employing his fistie propensities on an unfortunate tinner, for which he had to pay \$10 to the City.

The tinner also was not altogether blameless, and had to hand over \$5 for putting himself outside of too much liquid infusorial.

In Arizona.—Our friend and brother editor, T. F. Butler, called at our office yesterday, in company with two young gentlemen who he introduced as Messrs. W. C. Dawes and G. S. Coleman, who informed us that they had just made the trip to Prescott from Utah Territory, in a light wagon, via Hardyville; that they had read the *Miner* while in Utah and were not disappointed in the country of which they had read so much.—*Arizona Miner*, Jan. 15.

Plant's Seed Publications.—We have received the following from the Plant Seed Company, St. Louis, Mo.—

*Plant's Farmer's and Gardener's Almanac* for 1875. With illustrations and descriptions of vegetables, and much other useful matter, 72 pages.

*Plant's Illustrated and Descriptive Catalogue of Garden, Field, Grass, Tree and Flower Seeds*, for sale by the Plant Seed Company, St. Louis, Mo. This is an octavo of 96 pages, with numerous beautiful illustrations of flowers, vegetables,