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## JUDICIAL MORAL COURAGE.

MORAL courage is a rare quality, and those who possess and exhibit it in trying places always gain the respect of the honorable and generally triumph in the end. Judge Sandford showed that he possessed that admirable endowment during his official career in Utah, and eminently so at its close.

He dared to do what he thought was right, in the face of a strong popular sentiment against the "Mormons." In this he only administered the law as it is dealt out in other places. He was not bitter, violent and partial because a defendant was a "Mormon," and he did not insist upon that extra-judicial demand for a "promise," which was born of fanaticism and invented by anti-"Mormonism." For this he was hated by the violent enemies of the people of Utah, and misjudged by those who receive their information on Utah affairs from cowardly maligners and persistent libelers. But this made no difference to his judicial course, and his sentences, many of them severe, were yet tempered with a little dash of mercy, when the defendant appeared for the first time in that position and plead guilty to the charge against him.

Those who find fault with his course in this respect, manifest a malignant heart and a disposition to cruelty and vengeance that ought not to influence any civilized human being, and certainly ought not to prevail in the execution of the law.

His closing letter to the Attorney General has won Judge Sandford many friends and admirers from both political parties. It was a spirited yet passionless rejoinder to the indiscreet and authoritative letter from Washington, and manifested the same moral courage that he exhibited on the bench. And it has attracted more public attention than any official correspondence which has been published for a long time.

The Washington correspondent of the New York Times sent to his paper a long account of the particulars of Judge Sandford's removal, with the full text of the correspondence, and among other comments the following were added:

The startling discovery that the President has "a policy" for the judiciary has not yet apparently attracted attention out of Utah. Judge Sandford was not accused of falling short of or of exceeding the laws. The bar of the Territory and of the country will naturally wonder whether the President will have a "policy" for Judge Zane that will be superior to the law. Will the President make a policy for Judge Zane that will expose the judge and the President to impeachment? It has struck some of the Utah people that the President, by his removal of Judge Sandford and the appointment of Judge Zane to carry out a "policy," has suggested that the courts may be made dangerous and despicable as the creatures of an executive instead of the administrators of the law.

It is not forgotten that Attorney-General Miller has been spoken of, in the President's home paper, the utterances of which are taken as semi-official on many matters, as likely to be nominated to the vacant place on the Supreme Court bench. How will the nomination strike the lawyers of the Senate in the light of the letter explaining to Judge Sandford his removal in order to make a place for a man who can be depended on to carry out a "policy" from the bench? The suggestion that the President can properly dictate a "policy" for the Supreme Court of Utah may be followed, before long, by the appointment of somebody who will consent to the dictation of a "policy" for the Supreme Court of the United States. If the President may dictate a "policy" for the Utah court, there does not seem to be any good reason why he should not run the Supreme Court at Washington to carry out a more extensive policy. The question is the same, and it would appear that if he has any policy he wishes to impose upon the Supreme Court, he could not do better than to appoint Mr. Miller to fill Judge Matthews' place, as he has so gracefully acquiesced in the President's dictation of a "policy" for the Chief Justice in Utah.

Judge Sandford did not leave his place on the bench without sending a parting word to the President. It

was not an impudent or an ugly letter in its language. The President has not yet seen fit to give it out at the White House, so it is reproduced here in order to give the newspaper reading public an opportunity to see what sort of a reply a removed judge may make:

Here follows the closing response made by Judge Sandford, and which seems to have made a big hit on the public mind, as no doubt it did in the quarters for which it was intended.

The Omaha Republican having undertaken to reply to the remarks of the Omaha Herald on this matter, a portion of which we reproduced in these columns, the Herald thus responds:

"The Republican undertakes to justify Harrison's removal of Chief Justice Sandford from the Utah bench by asserting that Cleveland removed Zane. The feeble excuse won't stand when its falsity is shown. Zane was not removed. He was allowed to serve out his time and retire. Neither has the St. Louis postoffice fight anything to do with the case. The point at issue is, has the executive arm of the government the right to dictate to the judicial arm a political 'policy.'"

Of course the President cannot be under the impression that Cleveland "removed" Chief Justice Zane, but that idea is entertained by a great many papers that endorsed his re-appointment which they looked upon in the light of a "vindication." Judge Zane was not removed or interfered with by President Cleveland, but served out his full term.

A little moral courage to stand up for justice and right, without fear of the clamors of the unjust and unmerciful, will be found a much better recommendation to the respect of those whose opinion is valuable, than any yielding to the dictates of the malevolent. And in the world to come it will contribute to the glory of its possessor when the Eternal Judge decides the future fate of all.

## JUST COMPENSATION DEMANDED.

WE publish today some correspondence from San Juan County, in relation to the treatment of settlers by the commission appointed to arrange for the transfer of Indians from Colorado to the San Juan region. What we have published heretofore, except editorially, has been from outside sources. We said at the time that the information presented by the articles from Denver papers was colored by the conflicting interests of the parties on either