

EDITORIALS.

AFFAIRS IN IDAHO.

As quite a number of people formerly identified with Utah and its interests are now included within the boundaries of Idaho, a portion of this Territory having been cut off to assist in the formation of our neighbor in the north, anything that relates to Idaho, becomes interesting to Utah.

The Legislative Assembly of Idaho closed its eleventh session on Feb. 10th, having continued, under the provisions of the new Act of Congress introduced by Delegate Ainslie, for the term of sixty days. Messrs. W. Budge and J. H. Hart, of Bear Lake County, and H. Peck, of Oneida County, have been in this city a day or two, coming here on their way home from Boise City. They had a very unpleasant and trying trip to the railroad, having spent four days and nights jolting over frightful roads in a lumber wagon, stage travel being impossible. They are in good health, however, and feel well satisfied with their legislative labors. They speak very highly of the courteous treatment they received from their colleagues in the Assembly and from the people of Boise generally.

This has been one of the most interesting sessions of the Legislature ever held, more work having been accomplished and double the number of bills having been passed than at any other session. Many of these measures are of a local character, adapted to the various sections of the Territory, others more general in their character, and some of great importance to all the citizens of Idaho. Among the latter are the following: A bill for the regulation of water rights which, while it does not define or create such rights, legalizes and validates the local customs and regulations in regard to the distribution of water, and gives power to the officers locally elected to enforce such regulations. A bill for the protection of settlers against cattle drovers. It requires the drovers to see that no settlers' stock are mixed up with their own and taken away, putting the responsibility on the drovers instead of the settlers, and is guarded by heavy penalties. A bill for the appointment of County School Superintendents. It applies only to those counties which desire it, as some of them do not, and requires the Superintendent, among other duties, to visit every school in the county at least twice in each year.

The foregoing, with others, were introduced by Mr. Budge, and are now laws of the Territory. The territorial property tax has been reduced from seven and a half to four mills on the dollar. A sheep-herding bill was passed over the Governor's veto. It forbids all sheep herding within two miles of any settlement. A bill for a dog tax was passed and signed. A road and bridge bill of considerable importance was also enacted. A bill for the appointment of county prosecuting attorneys instead of the three district attorneys was passed, but will not take effect until two years, when the present offices will run out. A measure was passed providing that the District Judges may hold court in the various counties twice each year, if necessary, to be decided by the County Commissioners. This will greatly facilitate judicial business, and be for the interests of justice. Perhaps the most important of all is a Code of Civil Procedure, which simplifies and regulates the civil practice of the Territory, and received most careful consideration.

The course of the new Governor, John B. Neil, was not such as to gain the esteem and respect of the legislators. He presumed too much, and was too persistent in trying to force his crude ideas upon their consideration. He was also very free with the veto power, but fortunately our Idaho friends—unlike Utah—have the right to pass a measure over the Governor's veto. He toned down a little towards the close of the session, and became more conciliatory and less dictatorial, and signed some bills, slightly modified; to which at first he refused to append his name.

As is pretty well known, he sent two messages to the Assembly, both containing wild and untruthful statements and foolish and unrepentant suggestions concerning "Mormonism," even going to the length of urging measures against those who simply believed in certain doc-

trines. He received a little support from some of the Republican members, but the majority, including the Democrats, declined to waste time on his nonsense. The Council refused to print the copies of the first message desired, much to the Governor's chagrin and vexation, and their course was sustained by the House.

On the presentation of the second message, many members felt insulted by his pertinacity and presumption, and expressed themselves in very plain and forcible language. We will not quote from speeches made by "Mormon" members, who will naturally be supposed to have resented the Governor's intemperate harangues, but will give a brief and consequently imperfect synopsis of remarks from two honorable gentlemen, both non-"Mormons," and who cannot be suspected of any union or sympathy with "Mormon" peculiar views or practices.

Hon. Richard Z. Johnson, member of the Council from Ada County, spoke in substance as follows:

Mr. President—I consider that this Council has been insulted by the Governor in sending this second message directing our attention to matters set forth in his first message. The Governor reminds us of his former suggestions and states that we have not thought proper, up to the present time, to meet his wishes. We have, Mr. President, given all the attention to the first message which probably it deserved. We have labored as a judiciary committee, to whom was referred that portion of his message relating to polygamy, and we have acted in regard to it and other matters to the best of our ability in the interest of the people, giving our attention principally to matters of the greatest importance, feeling it to be our duty to spend the time allotted in the consideration of measures calculated to be of public benefit, instead of wasting it upon vagaries and riding upon hobby-horses. The Governor says we have not done anything in regard to polygamy. He is perfectly right. We have no disposition to follow the Governor in his whims and fancies, his piques and animosities, or his personal desires, but to spend our time for the good of the people whom we represent in this Legislature. I would further say, we have not given special attention to Mormon matters up to the present time, and I would announce in the name of the committee to whom it was referred, that it is not our intention to do so. General, not special legislation, is the object of our deliberations, and we see no reason why we should devote ourselves to mere sectional or sectarian questions.

I consider it presumption on the part of our inexperienced Governor, who has only spent a few months in the Territory, and consequently knows very little about its affairs, to persist in dictating as to the labors of this Legislative Body. It is not to be supposed that the Governor—a comparative stranger—should know the condition of the Territory, or the necessities of the inhabitants as well as the representatives of the people do. He refers to us as if we were a lot of school-boys who needed instructions from him in regard to our duties which we owe to the people. Governor Murray, of Utah, has lately played the fool by refusing the certificate of election to Delegate Cannon, the undoubted choice of the people; and our Governor seems to be endeavoring to follow his ridiculous example, that his name might become notorious by connection with Mormon affairs. We do not propose to join him in this foolish following, nor lend ourselves to any such unnecessary and un-American proceedings.

Mr. President, as the most proper way to treat the Governor and his superfluous message, I move to lay the message upon the table, and exclude it from the records of this Council.

Hon. W. F. Anderson, member of the Council from Lemhi County, made a speech, of which the following is an epitome:

Mr. President: I confess to feeling somewhat surprised at the persistence of the Governor in calling our attention to the subject of polygamy. We understood his views as expressed in his first message, and I consider that it should have been sufficient for him to have expressed himself as plainly as he did on that occasion. There appears to me no reason for acting upon the suggestion of the Governor in regard to the question of polygamy. Indeed, to me it looks like presumption on our parts to attempt to handle this mat-

ter, there being at present no necessity to spend our time upon that subject at all. The best legal talent of the United States has been exercised upon that question for the last thirty years, and the ablest statesmen of the Union have given it their attention, without having accomplished anything very satisfactory to themselves or others in regard to it. And for an inexperienced and newly appointed Governor of the smallest political division of the Union, to force this question upon the Legislative Assembly of the numerically most insignificant Territory of the United States, appears to me simply ridiculous.

As to the wickedness of the Mormons to which he refers in his message, I am somewhat skeptical. It is true my acquaintance with the Mormons is not very extensive. But the gentlemen who are among us representing the Mormon counties are, to say the least, as courteous and gentlemanly as are the members from any other part of our Territory. And I have seen no indication on their part to assume any rights to which they were not entitled, or to ask for any privilege which it is not our duty to assist in obtaining. The only effect which to my mind is likely to be brought about by the proposed and uncalled for interference on our part, at present, with the liberal views of the Mormons on marriage, is to create antagonism of feeling between sections of the country where it would be profitable to cultivate friendship and harmony. I, therefore, consider it unseasonable and unnecessary to take any steps toward special legislation that might be hurtful to the interests of any part of this Territory, or that would interfere with the development, material interests and general progress of affairs in the Mormon counties. I am unwilling to follow the Governor in his pet schemes and petty animosities regarding Mormonism; and think that our time can be used to greater advantage in legislating to meet the necessities of our constituencies.

Among those who have made the acquaintance of the Mormons and speak well of their thrift, order, intelligence and general good qualities as citizens, are gentlemen quite as well qualified as our newly imported Governor to judge and speak about them, and the impression which the Governor seems to have received are certainly not always made upon the minds of those who have visited our Mormon friends. I am reminded of a visit once paid to Utah by the honorable gentleman who is about to occupy the Presidential chair in Washington. He visited the Mormons and was much attracted by their peaceable disposition and industrious habits, and has at different times borne testimony to these facts. Later still, in company with the present incumbent of the Chair at the Capital, the General of the armies of the United States, paid a visit to Salt Lake City, and delivered a speech on that occasion, expressing plainly his convictions as to the desire of the Mormon people to sustain the government and to obey the laws. This was not a Corporal nor a Colonel, but the highest soldier in rank of the United States army. I am at least as willing to take his estimate of these people as that of the Governor. Mr. President, I endorse the motion before the Council.

The motion prevailed, the message was laid upon the table and refused a place in the records. This ought to be enough to show the little Executive of the little Territory of Idaho, that he is not of so much importance as he imagined when endowed with the swelling title of Governor. The original of his second message was thrown aside as waste paper and picked up by a member, who handed it to us for perusal. We intent to present it to the Deseret Museum for preservation, among other curiosities and monstrosities, that people may see how far a person afflicted with anti-"Mormon" rabies will go into the depths of rage and folly.

As our readers are aware, just to pacify the Governor, a bill was introduced in the House by Mr. Onderdonk, the text of which was published in this paper. After the usual reading and printing, a counter bill was introduced by Mr. Hart, providing for the punishment of seducers, adulterers, male prostitutes and such debauchees, and including a provision that positive proof need not be adduced in the trial of such offenders, but general reputation and circumstantial evidence may be deemed sufficient. It was a burlesque of Mr. Onderdonk's embodiment of the Governor's sug-

gestions. The anti-polygamy bill was indefinitely postponed, and as none of the members seemed to relish the establishment on their counties of the measures in Mr. Hart's bill, it followed the fate of the other.

The people of Idaho, generally, have no sympathy with the sentiments of those fire-brands who seek to start the flames of discord and intolerance in the Territory. They know that the "Mormon" part of the population is as much entitled to respect and representation, according to numbers, as any other, and will do as much towards the development of the material interests of that region. We advise our people to pay no attention to the vapors of demagogues and the threats of upstarts, but quietly pursue their labors, mind their own business, send men who will truly represent them to the Territorial Legislature, elect local officers who will be trustworthy and faithful, serve God, keep wide awake, and do good to all honorable men and women, without distinction of race, sect, party or degree.

THEY CAN'T COVER IT UP.

MR. ELI H. MURRAY and his traveling companion J. R. McBride, who is Campbell's attorney and the author of the sophistical and absurd "argument" on the minority side of the certificate case, are doing their utmost to present before the public their excuses for the wrong committed against the Delegate-elect and the people who voted for him.

Stereotyped "interviews" with these persons appear in different newspapers, but they do not appear to make the desired impression. The fact is, the certificate fraud is so palpable that no amount of legal quibbling or pretended patriotism can cover it up from the public gaze. The New York World thus editorially dissipates the fog with which Messrs. Murray and McBride envelope the main question:

"The Governor of Utah explains in our columns the state of facts on which he withheld his certificate of election from Mr. Cannon, who received a large majority of the votes cast for member of Congress in Utah, and gave it to Mr. Campbell, the candidate of the minority. It is in substance the same statement with which the country is familiar, and upon which Gov. Murray's action has been condemned by all persons who care more about law and justice than they do about making a moral demonstration against polygamy. It is not for the Governor of Utah, but for the House of Representatives to decide whether a person chosen to that body is ineligible. If he is ineligible, nothing is better settled than that the contesting candidate does not succeed, and that the effect of the ineligibility is to create a vacancy. This was distinctly decided by the Court of Appeals only the other day, in the case of an ineligible candidate for county judge. The award of the certificate is, therefore, a purely ministerial act, which is merely an official declaration of the vote. This case is not on the same footing as that of a presidential elector. In the case of Oregon in 1877, Gov. Grover gave a certificate to a minority candidate in place of an ineligible majority candidate. But in that case there was some doubt whether anybody except the Governor could review the election and exclude ineligible persons. That is to say, the republican claim was that there was no authority to go behind the Governor's certificate, and it was to expose the absurdity of this claim that Governor Grover gave the certificate. The republicans of the electoral commission were guilty of the still greater absurdity of counting the vote of an elector distinctly declared ineligible by the Constitution. The position taken by Senator Bayard at that time was no doubt the right one, that the minority candidate was not elected, but that the people of Oregon had lost an electoral vote by voting for an ineligible person. If Cannon is really ineligible the people of Utah have simply created a vacancy by voting for him."

The Chicago Times, in the annexed editorial remarks goes down into the depths of the singular combination of discordant political elements—the Watterson-Murray-Campbell mess of broth—and we hope that the facts in the case and the true reasons for this ill-assorted union will all be made public, so that the motives which have actuated the

Utah official and the Kentucky editor will be known and despised of all men:

"In this pushing world he who cannot or will not fight is thrust to the wall, and he who would succeed can have no better shield and buckler than the reputation of ability to care for himself by the hitting of hard blows. That he is a man of abounding courage, Delegate Cannon of Utah, has already given proof at the matrimonial altar; and that he means to advance aggressively upon his enemies, among whom he numbers the territorial Governor of Utah, who refused him an election certificate, but gave it to his rival, one Campbell Lackvotes, is shown by his declaration that he means to make minute inquiry into the bond of fellowship binding with hooks of steel such incongruous people as Governor Murray, Campbell, the aforesaid and Henry Watterson who, in defense of the action of his friend Murray, has sounded a war whoop against all Mormonism in general, and against the smoothbore Cannon in particular. The many-wived Utah delegate alleges that the trio own a silver mine in common, as he confesses is their right, but he means to know just how far official action against him was the result of fiscal partnership in the particular bowl of the earth which the trio are burrowing. Mr. Cannon means war and vengeance, and the handsomest men in Kentucky would do well to draw their visors down."

The mandamus case is to come up before the Third District Court on Monday next, and the only remedy in law be applied for which will aid in righting the wrong done to "the person having the greatest number of votes" at the Delegate election, and to nearly the entire people of the Territory, whose votes have been trampled upon as nought by the unlawful act of one individual. The writ of mandamus is introduced in law to prevent disorders from the failure of justice. It is peculiarly applicable in the present case.

The whole history of this infamous conspiracy is likely to be yet unfolded to the people of the United States, with the motives, objects and expected remuneration of the conspirators. For should the mandamus be not made peremptory, this case is going to be contested fully and completely, and nothing will be given away to the creatures who concocted the plot against law and justice and against the peace and welfare of this section of the United States. If the remedy now sought for should be denied, the plain requirements of the law be still ignored, a bogus certificate, contrary to the terms of the statute, be permitted to do service in the cause of fraud, and the will of the people lawfully expressed at the polls be counted for naught, all other proper steps will be taken to bring the matter to a final issue, and there will be no hesitation about bringing up to the surface the bottom facts, no matter who may be affected by the details. Monday's proceedings will be watched with interest, and it will be seen and noted who stand in with the schemers.

HOW IT IS ESTIMATED.

It does not appear that the publishers of the North American Review think much of "Judge" Goodwin's ignorant and mendacious attack on "Mormonism" for they omit any mention of it whatever in their notice of the number which they have prepared for the press. Following is their notice, verbatim:

"The contents of the North American Review for March must win the attention of all by the timeliness of the topics discussed. First we have a thoughtful and moderate article by Bishop Cox on "Theology in the Public Schools." The author would sternly exclude from the schoolroom all sectarian dogmas, whether Papist or Protestant, but he insists on the retention of the Bible, first because that book is the principal fountain of our English speech, and secondly because it is really the base of our social system. The second article is by Captain Eads, who endeavors to show the practicability of his ship railway, its advantages over all canal schemes, and why the United States can without risk guarantee the payment of 6 per cent. interest on \$50,000,000 of the capital stock of the proposed company. Judge H. H. Chalmers, writing of the Effects of Negro Suffrage, bespeaks for the Southern States, while engaged with the so