

continued till Nov. 14, solely on the objection of his membership in the "Mormon" Church. I will say in regard to the practice of fornication, as to that or any other offense, whether it makes him a man of bad moral character depends on the circumstances. If it was a single act it will not exclude him. But if he habitually commits fornication, whether openly or secretly, he is not a man of good moral character. If he is an habitual drunkard, or habitually violates any other law, he is a man of bad moral character. In regard to polygamy and unlawful cohabitation, there is an organized effort to establish them as a social condition. But those are not the only crimes that will exclude a man from citizenship—habitual gambling for instance, but occasional acts will not be sufficient to exclude a man. A single immoral act, or even several, will not be grounds to reject an application for naturalization.

NO "MORMONS" NEED APPLY.

The matter of hearing applications for naturalization was up before Judge Anderson again Nov. 14. One man who had been a "Mormon" was admitted, and Fred W. Miller was called. He passed the court's examination all right, saying that he believed polygamy wrong, and that he would obey all the laws against it. To the "Liberal" representative he said he had never been through the Endowment House, but was a "Mormon."

Joseph Lipman then objected to Mr. Miller's admission on the ground that he was a member of the "Mormon" Church. He said that he expected to show that there was a ceremony of the Church, connected with the Endowment House, which required every member of the Church to take an oath that he would avenge, on the United States, the blood of Joseph Smith and all the other Saints that had been killed. He did not know how the avenging was to be done, whether by maiming or killing citizens, but he would show that such an oath was taken, and he thought that no member of the Church should be admitted to citizenship.

Mr. Moyle denied that any such oath was required; and, however that might be, this man had never been through the Endowment House.

The court said he would pass upon Mr. Miller's application on Thursday, as it had been shown he was a member of the Church.

Mr. Moyle said it was plain that the course followed by Lipman and his associates was merely a political trick, and asked the court, if it refused to hear the applications of "Mormons" for naturalization, that no distinction be made, and the business of admitting citizens be deferred till after the investigation on Thursday.

This request was refused by Judge Anderson.

Wm. J. Owen was another applicant. His parents were members of

the "Mormon" Church, and he was at one time, but he had never performed any of the duties of a member, and did not now consider himself one. He did not know that he had ever been excommunicated.

The "Liberals" objected to him because of his membership, and he was ordered to wait.

Thus every "Mormon" who came up was peremptorily ordered to stand aside, simply because of his membership in the Church, while those who were brought in by the "Liberal" whips were passed through in short order.

Finally one John Y. Phillips presented himself. He passed the court's questions all right. To Mr. Moyle he stated that he had been married a few months. When asked whether he had been guilty of sustaining improper relations with persons of the other sex he looked surprised that such a thing should be considered anything unusual, and answered "Yes."

Mr. Moyle objected to his admission, as by his own confession it was shown that he was guilty of a crime and was not a man of good moral character.

This brought Hurd, Lipman and Laney to their feet. They were "righteously indignant" that a man who had engaged in indiscriminate sexual relations should be referred to as not of good moral character and unfit for citizenship in this great government. They were very wrathful at the course taken, and were very emphatic in their denunciations. "Why," said Hurd, "there is not a man in a dozen who hasn't done just the same as this man, only he has been more honest than most of them, and has admitted it. Besides all the Mormon applicants here are liars and have perjured themselves."

Mr. Moyle.—Mr. Hurd, it ill becomes you to judge the "Mormons" by yourself or by your own methods. If any "Mormon" has perjured himself you would prosecute him too quickly, and that he has not is proved by the fact that you dare not proceed against one of those whom you have unjustly accused.

F. Ferguson, the deputy clerk, remarked that Phillips did not belong to a people who organized themselves to commit a crime.

Mr. Moyle.—No, but to the nine-hundred and ninety-nine out of a thousand who are not only guilty but think it all right to be.

There was some further discussion of a like nature, which Judge Anderson cut short by saying he had given no thought to the ground of objection, but would take it under advisement and pass upon it next Thursday, November 14.

A GRAND JUROR'S ACT.

Some weeks ago it was announced in the News that the grand jury were examining the city and county records for the past twenty years. For some time a committee from the grand jury engaged in this business at the court house, and of course

County Clerk John C. Cutler gave them every facility and gave them access to all the books, vouchers and documents that go to make up the records. Nov. 12, he discovered that some of the papers, which or how many he could not tell, were missing. Being the custodian of the records, the discovery of such an act did not tend to pleasure. He had given no one permission to remove them, nor had he any intimation that they were taken. And their removal without his consent was a violation of law. He immediately set about ascertaining who had purloined the documents, and learned that some of them were in the possession of members of the grand jury now in session.

November 13 he was called before that body as a witness, and very properly determined to inform the court of the trick which had been played upon him; and, in order to bring about this result, when he was called before the grand jury he declined to be sworn or testify. The grand jurors therefore had to present the matter before Judge Zane, and for this purpose presented themselves, when the following colloquy took place:

The Court—Is there any report you wish to make. Mr. Foreman?

Foreman J. T. Lynch—We have a statement to make, if your honor pleases. Yesterday afternoon we ordered a subpoena to be served upon J. C. Cutler, clerk of the county court, to appear before the grand jury this morning with certain books and papers we wished to examine. The subpoena was served and returned. Mr. Cutler appeared this morning before the grand jury with books and papers, supposed to be the ones we ordered, and refused to be sworn, and refused to testify before the grand jury without order from the court. We seem to be at the end of our rope. He also refused to give any reason why he would not be sworn and testify before the grand jury, and we desire some instructions in the matter before we proceed further.

Mr. McKay—Mr. Cutler is present.

The Court—Mr. Cutler, will you come forward, please? On what ground, Mr. Cutler, do you decline to be sworn and testify?

Mr. Cutler—If it please your honor, I have been cited to appear before the grand jury to bring with me the books and the papers of the county court, and I am unable to do so for this reason: The grand jury have been examining the accounts and the books and papers in the county court some two or three weeks past; when they first came down I spoke to them, and requested them to put each paper back into the pocket where it belonged. Yesterday I am informed by the grand jury—a portion of them—that Mr. M. Ives, without my consent, and I being custodian of the county papers and records, and without my knowledge, and contrary to the protest of some of the grand jury, had taken some of these papers away. Where these papers are now I don't know, but I am in-