

EDITORIALS.

A VITAL POINT.

THE New York Times discusses the Utah situation in the light of "Mormon" subscription to the test oath. We do not care to reproduce the whole article for there are many things in it that need not be debated. For instance, the question of what could be done if polygamists attempt to take the oath. That is outside of controversy, because such persons are not at all likely to do so. But here is a sentence worthy of consideration:

"But it is not clear how menogamists in practice who believe that polygamy is not a crime and who support a church that sanctions polygamy, and who still take this oath, are to be punished, or that they can be successfully prosecuted."

Just so. It is not at all clear. On the contrary it is plain as a pikestaff that there is nothing in the law that can be made to reach them. And this is what is vexing the gizzards of their greedy enemies. Belief is free. There is no crime in congregating, or associating, or organizing for the free expression and promulgation of belief. So long as men do not break the law they cannot be punished by the law. And so long as they have no intention of breaking it, or assisting or advising others to break it, they can subscribe to the oath or affirmation which is prescribed as a qualification for voting and holding office in Utah. Hence the grief and mortification and maledictions of the profane and defeated plotters who still view their prey at a considerable distance.

A WATERY RECEPTION.

It is all right for women to support the prohibition movement. Wives and mothers suffer more than anyone else from the consequential effects of the liquor traffic. Personal violence and the pangs of poverty are endured by many of them through the encouragement given to pernicious habits by dram-selling. Homes are rendered miserable and women are driven to desperation by the sorrows that come through the demon of drink, and it is proper that women should use their influence in endeavoring to repress an evil that bears so heavily upon them and their children.

But there have been movements for the destruction of the liquor traffic which cannot be defended from the standpoint of law and order. It is wrong policy to attempt to suppress one evil by committing another. The raids made upon saloons by psalm-singing and property-destroying women are wrong and reprehensible, and are often worse, because they are lawless, than the mischief they are intended to suppress. When women who so demean themselves meet with violence in their unlawful and unseemly excesses, they only reap what they sow, while they defeat their own object, exhibit intemperance in their own conduct, and destroy the sympathy for their cause which proper agitation might secure.

A short time ago nearly a hundred of those intemperate female advocates of temperance raided a saloon at Ellsworth, Illinois. They smashed every bottle and spilled all the liquor they could find, and as music to their performance, sang in concert, "Give us Water, Sparkling Water." The outraged saloonist thought he would respond to their choral petition, and turned the nose on them, drenching them to the skin. The water fanatics shrieked with such vehemence that a crowd of citizens came to their rescue, and the man with the hose came nearly losing his life in the melee.

All such outrages in the name of temperance are shameful, and those who engage in them deserve to meet with worse rebuffs than a watery reception. The saloon man was their superior. They made a criminal assault on his property, while he simply accommodated them with what they asked for. A good cause is frequently damaged by the rashness and excessive zeal of its active but senseless supporters.

GOVERNOR ZULICK PUTS HIS FOOT ON A JOB.

RECENTLY, as we learn from the Prescott Courier, the Arizona Legislature, which adjourned on March 11th, sent to Governor Zulick, for his approval, a bill entitled, "An act to provide for increasing the revenue of the Territory of Arizona and increasing the public school fund." In brief, the measure legalized a lottery or gaming corporation, a portion of the profits arising from which was to be applied to the public school fund, and the balance to go to the individual holders of stock in the concern. Those who projected and favored the act based their position upon a rotten platform. They reasoned that as the gaming passion largely existed in the Territory—an assertion

forcibly discredited by the Governor—the people would indulge it by speculations in schemes abroad, and thus deprive Arizona of a large amount of means that should be retained at home. Governor Zulick, in signifying his disapproval of the measure, shivers this shallow pretext into splinters. His reasoning exhibits so much true statesmanship, and such a sound understanding of genuine political principles and private and public morality that it is worthy of more than passing notice. For this reason we extract somewhat copiously from his message which accompanied the bill when he returned it to the Legislative Council, in which it originated:

The strength and only safe foundation upon which to build good government is public morality. The homes of our land, the symmetrical beauty of the family relations, and the purity of society, all rest upon the solid basis of personal morality. Equally necessary is it that there should be as elevated a moral standard in the state as in the home, the family and society; all alike conduce to the public weal.

"Better, far better, that the public schools of the Territory be closed and each mother in her home, sparing time from her domestic cares and labors, gather her children around her knee and educate them as best she can, than we should engraft into our laws a system of gambling out of the proceeds of which to build up a fund to educate the youth of our land. No such alternative, however, is necessary. Our public school system is good. In our cities and towns, and in every valley, and on every mesa within the limits of our Territory, school houses are dotted and the benefits of a public school education are open to all. Why then should we resort to such an unnecessary and questionable expedient? The children of to-day, the men and women of the future, soon to take our places and be the intelligent factors to carry on our system of good government, and assume the cares and responsibilities of American citizenship can more safely and intelligently acquire knowledge through a system of free public schools supported by the honest contributions of a willing people, than out of a fund gathered from the profits of a game of chance.

"The evil effects of such a pernicious system must of necessity be early instilled into the minds of our youths, even in the very schoolroom, where taught as they must be, if taught truthfully, that their own education was procured by and through the agency of and profits from a gambling corporation authorized by law. The public school system of Arizona is now our pride. I am unwilling by any official act of mine to mar its strength, to destroy its moral efficiency or cloud its fair name by surrounding it with such immoral agencies of support."

After dwelling to some extent upon evils that have resulted in different nations from the lottery system and pointing out that the Act was in the nature of special legislation and therefore unconstitutional, besides being in conflict with an existing prohibitory U. S. statute, he concludes as follows:

"Being unwilling to aid in the legalization of a gambling scheme, by which the earnings of men, women and even children can be seduced to investment in lottery tickets, to build up the fortunes of a few interested stockholders at the expense of public morals, under the pretext of replenishing the public school fund, preferring that our public schools, in the future as in the past, should be maintained by the free, honest offerings of the people, rather than our children should be educated from the overflowing profits of a system of legalized gambling, which in my judgment is subversive of every sense of political morality, I cannot but decline to sign this Act. If it becomes a law, it must be by force of that majority vote in the Legislative Assembly provided by law as necessary to overcome refusal of Executive sanction."

The position of the chief executive officer of Arizona is invulnerable. Thus far in his management of the public affairs of our sister Territory he has shown a fearlessness and sagacity, combined with a regard for the public weal, that places him high on the roll of statesmanship. While Mr. Zulick occupies the gubernatorial chair, Arizona will not be afflicted to any extent with legal and political jobbery. Long may he flourish.

"IS JUSTICE A SHAM?"

UNDER the above heading the New York World publishes the following letter from a native of Sweden who was unfortunate enough, on arriving in this land of liberty, not only to be robbed of his money but to be deprived of his freedom on account of his loss. As an illustration of the workings of a system which sets a criminal free on bail while it imprisons his victim, we commend the story to the consideration of the lawyers and legislators of the United States:

To the Editor of the World:

I am a native of Sweden and arrived in this country in November last, landing at Castle Garden. I am informed by some of my fellow-countrymen here that *The World* is the leading

newspaper in the United States and that it is ever ready to extend its powerful influence towards securing justice for the oppressed. I am therefore impelled as a last resort to appeal to you, having exhausted all other means of trying to obtain redress, and to lay before you facts which make out a case of such shameful injustice as to merit more than passing notice. Perhaps in helping me you may also be assisting other unfortunate who, like me, have been the victims of cruel wrong.

Upon my arrival here I had with me a sum of money amounting to over 2,000 crowns (Swedish money), which was in a leather wallet in an inside pocket of my vest. This constituted my whole available means with which to begin life on my new home. Upon stepping ashore at Castle Garden I was approached by an agent or runner, who took me to the emigrant boarding house, No. 3 Battery place, where a few moments after my entrance I was drugged and robbed of my wallet, containing all my money, by this runner, who was assisted by others in the place. The robbery was reported to the police and in a short while the thief was captured. He was placed in a row with other men and I was asked to pick him out, which I readily did. I was congratulating myself upon being in a country where justice is done impartially to all, when, judge of my surprise, on the following day I was myself arrested and placed in custody. I had committed no crime and was at a loss to know why I was subjected to such an outrage. I was accustomed to consider myself an honest man and therefore felt my disgrace keenly. For ten long and weary weeks I was kept in custody, deprived of my liberty. To one brought up as I was to breathe the pure air of heaven amid the mountains of my native land, this imprisonment was torture unspeakable. I am unable to converse in the English language and there was no one who could tell me why I was arrested. I was a perfect stranger here and had not a friend to whom I could apply for information or assistance. Day after day dragged wearily along and I had nothing to do but brood over my wrongs; to conjecture reasons for my arrest, and to speculate as to whether I should ever see the bright sunlight again. I began to wonder whether after all I had really landed in America, which in my country we are led to believe is the land of freedom and the home of liberty. Had I not by some strange mischance been set ashore in the home of the banditti? Was that really the statue of Liberty which I still seem to see as it looked that night before our landing, illumined the whole harbor, and seeming to extend an hospitable welcome to the strangers now approaching within its shadow for the first time? These and other thoughts and conjectures crowded fast upon me as I lay in my dungeon.

Everything, however, has an end, and so did my imprisonment. One day I was suddenly set at liberty. As soon as I had recovered somewhat from the effects of my confinement I made inquiries as to the cause of my arrest, and was struck dumb with amazement when informed that I had not been arrested at all. Could this be true? Were those ten weeks of horrible suffering some hideous nightmare or a mere fusane delusion? No, I was told. "You were not arrested or imprisoned. You were simply confined in the House of Detention." I am compelled to admit my inability to appreciate the force of the distinction. I also learned of other facts as amazing to me. During nearly the whole time that I was imprisoned, the thief who robbed me was enjoying his liberty. Think of it! the criminal free; the innocent victim in a noisome dungeon. Such a thing would not be tolerated in my country. No, not even in despotic Russia. The criminal was set free shortly after his arrest. He gave bail in the sum of \$1,500, two bondsmen qualifying. The case has never been tried. The thief has left for parts unknown. The two bondsmen accepted by the authorities are insolvent and entirely worthless, so I am informed in the District Attorney's office. "Nothing can be done for you," was the only satisfaction I could get. I am now left penniless. My prospects have been entirely blighted by my imprisonment.

Although it was all I had I could have stood the loss of the money, but the loss of my liberty has entirely and wholly deprived me of certain chances involving my future prosperity for which I came to this country. I trust you will ventilate this matter and so prevent like injustice being done to others. I have had this letter to you translated and have subscribed my name and address thereto.

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DEMOCRACY AND REPUBLICANISM.

It is a question with a great many who make a study of social and political economy as to just where the dividing line between the two great parties of the United States is situated. The parties exist, not merely in name but in active organization, and now and then a little outbreak of a declamatory nature shows that the lines are still mentally defined; besides, members of each party still vote in accordance with their fealty as partisans; Congressmen and State Legislators are

classified in the main as being either Democrats or Republicans, and nearly all public officers are one or the other—but what for? is asked. Where are the issues upon which they are divided and what is the real distinction? There was not one measure voted on in the Forty-ninth Congress that was carried or failed through a strict party vote, as was the case so frequently the first ten years or more following the war, and it would seem that with the complete extinction of the great conflict, there was really no distinction of a national character between the two organizations at all. The attempt to rally the Republican forces upon the issue of a high protective tariff, a scheme so ably engineered by Mr. Blaine and his aids, came as near to making the point of separation visible as anything could just now; but, while the overwhelming majority of Republicans were for protection, and a corresponding proportion of Democrats were either free-traders or tariff reformers, it was also apparent that there were great numbers of men in either party not in accord with the majority of their brethren on this issue; for instance the principal parliamentarian on the floor of the House—Samuel J. Randall—is a staunch high tariff man, while his confere in the Speaker's chair—J. G. Carlisle—is just as avowed and determined a free trader; per contra, in the Senate, Mr. Hoar, recognized as one of the ablest men in that body and a straight Republican, looks with a friendly eye upon the scheme for free ships and unrestricted commerce, in which matter he is almost alone among his partisans, while Mr. Jonas, an able Democrat from Louisiana, is for raising the tariff if anything, and we believe that he is joined on this point by the Republicans only.

The attempt to array the contending forces on the financial issue met with no better success, in fact, not quite so much, for in this respect neither Republicans nor Democrats recognize leadership or discipline, each entertaining his individual views, speaking them and voting accordingly without fear of the party lash; and the same might be said as regards our foreign relations, internal commerce, etc. Senator Sherman still clings to what little is left of Southern disturbances, oppression of the negroes, etc., but it is very much like Sauchon Panza tilting at a windmill—the effort does himself no good and but serves to amuse others.

This is the way it appears on the surface of things, but there is a real, wide and distinct line of demarcation which will always exist and which enables the Democratic party to maintain its organization as its opponents, one after another, triumph for a season then wither and finally pass away forever. Half a dozen organizations have sprung up since it was brought into existence, and while most of them have for short periods held the reins of power, they have invariably succumbed to the inevitable, and left Democracy as strong as before it received their assaults. Like Gibraltar it yields not, though for a time clouds may obscure and the mad waves dash furiously against it; the clouds pass away and the waves relapse into their wonted quietude, leaving the old rock where it was, unharmed and unmoved. The issue upon which it lives is popular government, the fabric upon which it is based is the Constitution of the United States; it is the party which adopts as its platform the principle that that government is best which governs the least, and that there shall be no strong central source of authority. All opponents to these doctrines may come and they may go, but to oppose them is to flourish but for a brief season, if at all. The Democrats are defeated when they depart from these principles, because they then cease to be Democrats. The party is a great and grand one, no matter if at times its powers are misdirected and its principles misapplied, as has been the case so often and so recently, as poor Utah has reason to complain.

FAILURE OF FEDERAL JUSTICE.

GREAT indignation is felt in Kansas and in Arkansas, especially the latter, over the failure of Congress to appropriate sufficient money to pay jurors' and witnesses' fees in United States cases. Notice has been given that the April term of the Federal Court at Topeka, Kansas, will not be held. And here is the order issued by Judge Parker at Fort Smith, Arkansas:

"Congress having failed to appropriate sufficient money to pay the expenses of the Courts of the United States for the fiscal year ending June 30, 1887, all criminal business in this Court is continued until July 4, 1887. The Marshal will at once give notice to the gentlemen who were summoned as petit jurors, that their services will not be required, and they need not report at the United States Court House, at Fort Smith, on the first Monday in April next. The District Attorney and Marshal will at once take steps to notify all parties and witnesses of this order, and what day the case in which parties are interested is set for trial."

It seems there are seventy-five defendants lying in jail at Fort Smith awaiting trial, and who have been

there for many months without a chance of establishing their innocence or admitting their guilt, but have to submit to virtual punishment without trial. The court at Fort Smith has jurisdiction over a large district of the Indian Territory, and there are thirty persons charged with murder who cannot be tried for lack of funds to carry on the court. Protection to life and property—the chief object of criminal law, is very much diminished by this impotence occasioned by financial debility, the fault of the legislative department.

It appears that the appropriation for the fiscal year ending June 30th, 1886, was exhausted long before the year ran out, and the court had to stop business. Last November this had to be repeated because the supplies for 1887 had been spent. And this was not singular to either the Arkansas or Kansas Federal courts, but was the experience in most parts of the country.

It is quite likely that there is another side to this story, and that the expenditures were not so economical as they might have been. We have known of most reckless squandering of Federal funds not a thousand miles from Utah. Witnesses brought from long distances on worse than a fool's errand, and Marshal's fees multiplied for no earthly reason than to fill official pockets. We do not say that this is the cause of the financial stagnation in the Federal courts now idle, but we are satisfied that Uncle Sam has been bled unmercifully in many official quarters.

There are many crying evils in the administration of justice in this country, and investigations all over the land would be profitable to the Government and the citizen. But it seems that Congress might, with an immense surplus in the national treasury, furnish sufficient means to carry on the Federal courts, and that it would be quite as wise and consistent to appropriate absolutely necessary supplies to punish murderers and other high criminals, as to make extra appropriations for the purpose of hunting down a few "Mormons" who consider it a religious duty to support and cherish every woman attached to them by family relations.

Economy is a good thing, and zeal in the enforcement of law is to be commended. But justice is supposed to be impartial, and it looks as though the funds needed for its administration should be fairly distributed, for general protection and the maintenance of law and order in every part of the country.

ALARM AMONG THE LEAGUERS.

THE chief manipulators of the half-dollar League are alarmed at the rupture that has already occurred in the ranks of its contributors. The whole concern is a scramble for place. The fifty-cent dupes, of course, are not all troubled with this bee in their bonnets. But the receivers and squanderers of the four-bit monthly doles, including the two B's, come home with their strings extracted, are working the concern for all it can be made worth to them in the struggle for position—and emoluments.

The combination has two factions which are essentially incongruous. When office is the object, Democrats and Republicans cannot possibly harmonize for any protracted period. They may fuse for the moment, but their continued unity is impossible in the very nature of things. The danger of this inevitable division is what harasses the chief-cook-and-bottle-washer of the concern and his associate manipulators of the monthly contributions. They are now frantically pleading for the obliteration of party feeling, and the patching up of the alarming rent in the League shirt which leaves two parts flapping in the wind of disaster, to the exposure of the weakness of that sickly body.

Of course the fingerers of the funds want union—that awful "Mormon" characteristic, for dissension means a falling off of the four-bit deposits, and that means the going out of the life of the League. Well, "it is only a question of time." When oil and water amalgamate, when real unity exists among rogues, and when opposites become similar, the two discordant elements of the half-dollar League will fraternize in sweet communion.

"THE DEVIL LEADS."

THE New York Observer religious journal, heads an article as above, in which the following appears:

"We are compelled to believe that at the end of this boasted century of missions, while not 3,000,000 converts, nominal and real, have been won to Christianity, in paganism, heathen and Mohammedan are 200,000,000 more than they were at the beginning of the century. The votaries of these faiths increase seventy times faster than the followers of Christ."

The Observer may well insert the qualifications "nominal and real." For those who have visited the so-called heathen and pagan nations, and have investigated the pretended conversions to Christianity among them, must be