

ing forty others. Hailstorms are getting remarkably common in summer weather. Many parts of Germany were visited by them June 17. Perhaps the elements are being prepared to fulfill the revelation given through Joseph Smith, to the effect that, in the days in which we are living, a great hail storm shall destroy the crops of the earth. In that way famine will be precipitated upon the inhabitants of the globe when all the conditions seem favorable for abundant harvests. Famine is inevitably followed by pestilence, as lack of proper and sufficient food causes man to be liable to the attacks of disease. These are peculiar times.

EXECUTIVE "JUDICIAL POLICY."

THE Philadelphia *Times*, taking up the subject of "The President's Judicial Policy," furnishes a complete reply to the Philadelphia *Press* in its endeavor to explain away the ugly features of the official correspondence which has occasioned so much comment. The *Times* says:

"Anyone who thinks that the Harrison administration lacks a 'policy' should read the correspondence between the Attorney-General and the late chief justice of the supreme court of Utah."

Then follows a full account of the tilt between the Judge and the Attorney-General, and the *Times* thus concludes the article:

"The idea of an executive 'policy' to which judges must conform their interpretation of the law is something entirely new. We have had executive officers assuming judicial functions, but it has not before been suggested that judicial officers must harmonize their views with those of the executive, under penalty of removal. Judge Sandford could only reply that it had been his effort while on the bench 'to administer justice and the laws honestly and impartially to all men,' under the obligations of his oath of office, and that if the President 'has any policy which he desires a judge of the Supreme Court to carry out in reference to Utah affairs other than the one I have pursued, you may say to him that he has done very well to remove me.'"

It would be interesting to know how far the President expects to enforce his judicial policy upon the bench. If he is to construe the law in the territories, why not throughout the federal jurisdiction? Suppose, for instance, that a judge in the United States court should oppose the administration's policy of revising a tariff by executive order, would he be liable to removal? And will the Supreme Court be expected to make its decisions 'in harmony with the policy'

which the President may deem proper to be pursued? These are new ideas in constitutional government."

The Chicago *Times* also returns to the question and roasts the Administration in lively style. It explains the relative powers of the legislative, judicial and executive branches of the government and their independence of each other, and particularly the exemption of the judiciary from any control by the executive. And it further denies the existence of any "right of the President to appoint judges with the design of using judicial power to further an executive policy."

The *Times*, however, falls into an error in stating that "the territorial judges are subject to removal by the President." They may be in practice because they submit to the treatment. But they are not in law, except "for cause," and that "cause" is susceptible of challenge and disproof. The laws authorizing the removal of territorial officers by the President at will, do not extend that authority over the judiciary. Judges hold their office for four years, and the words "unless sooner removed by the President," which are attached to the description of the terms of other territorial officers, are intentionally omitted in relation to the terms of the judges, because it is the design of the law to render them independent of executive control.

The influence brought to bear against Judge Sandford was chiefly local. Those who exercised it misrepresented the Judge's course, and now resort to downright lying in order to justify his official assassination. That will not affect the principle involved in the alleged cause of his removal. Whatever falsehoods may be told about Judge Sandford, the doctrine of an executive policy to control the judiciary is contrary to the whole spirit and theory of our national institutions, and is to be repudiated by true Republicans and Democrats alike. And it is that which has aroused the press of the country.

WHEN the reasons for the removal of Judge Sandford were under discussion, we explained that the "policy" of the President referred to in the letter of the Attorney-General was political and in the interest of the Republican party. It seems that the New York *World*, the most widely read newspaper in America, takes similar ground. The *World* thus comments on this

peculiar action of the Administration in this wise:

"The removal of Judge Sandford, Chief Justice of the Supreme Court of Utah, upon the ground, as stated by Attorney-General Miller, that his 'administration of the office' is 'not in harmony with the policy which the President deemed proper to be pursued with reference to Utah affairs,' has created much astonishment. Judge Sandford at once responded that his earnest purpose had been 'to administer justice and the laws impartially to all men, under the obligations of my oath of office.' And he added the cutting observation that—

"If the President of the United States has any policy which he desires the supreme court to carry out in reference to Utah affairs, other than the one I have pursued, you may say that he has done very well to remove me."

It is naturally asked if the President has any different "policy" than this for a judge. The reversal by Judge Woods, the President's near friend, of his rulings in the Dudley case, in order to prevent the indictment of that individual, and the same judge's action in quashing indictments against illegal voters and corruptors of elections, would seem to indicate that the President's "judicial policy" is decidedly political.

The Philadelphia *Press* attempts to explain away the mistake that has been made by the Administration, and says the "policy" which has caused so much talk is simply "that the laws shall be enforced everywhere alike." This is a great mistake. Judge Sandford was administering the laws in that very spirit and no one can prove to the contrary. If that was the "policy" of the President there would have been no need for any "removal"—which, by the by, was without color of lawful authority—nor call for a "resignation."

The fact is, a blunder has been made, and the more the Republican organs try to apologise for it and cover it up under a waste of words and a distortion of facts, the clearer is it made that the executive authority has been exercised to control the judicial. And this is discordant with constitutional government in these United States."

NO REFORMATORY EFFECT.

SOME time since we summarized the phases presented by the Johnstown calamity. The statement presented the variations of benevolence, heroism, cowardice, horror and depravity. The ranker and more deplorable outgrowths still continue to develop.

A few days ago the sickening report came over the wires that men were fighting off a small host of dogs who were tearing up the earth that covered the bodies of the dead, which the brutes rent in pieces and devoured. Such an occurrence in