

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - - Nov. 4, 1874.

ARBITRARY ARRESTS.

THERE is much said of current arbitrary arrests in the South, and they are almost invariably charged to federal authorities, or those who profess to be representatives of federal authority. There is some reason to suppose that these charges of arbitrary official conduct are not all got up for political effect, but that there are good grounds for many of the charges, if not all of them.

Arrests which have the appearance of arbitrariness are made in this city by representatives of federal authority. But these to which we now refer are of a very petty kind. Last night, for instance, a number of citizens were arrested on a charge of eavesdropping, listening at the window of the grand jury room. It is presumable they were arrested for contempt, the contempt being obstructing the court, or the jury, in the performance of their duty. The marshal appeared to be in one of his paroxysmally happy moods, and one of the deputies stated that it was the order of the court to arrest anybody found listening at the grand jury room.

The grand jury room is on the ground floor, close to the side walk. The persons arrested, several of them, stated that they were passing along the walk, and their attention was arrested by the sound of loud laughter and noisy conversation coming from the window, and they naturally stopped a minute to learn what it was, not knowing that it was the grand jury room, but thinking it was the court in session, when they were immediately pounced upon by deputy marshals, taken into the court room for confinement, and charged with listening for the purpose of conveying information to the "Mormon" papers, or the "Mormon" authorities.

A person passing along the sidewalk could hardly help being attracted by loud and boisterous noise from a window close to him, and would naturally stop a few seconds to hear what it was, but the idea of making him an offender against the dignity of the court for this act seems to us to be not only arbitrary but preposterous, and decidedly small business for United States officials to be engaged in.

The dignity of the court should be maintained, but there does not seem to be much dignity in this. It appears to smack rather of the absurd and ludicrous than the dignified.

A better way to have the grand jury secure from listeners, inadvertent or designed, would be to put the jurors in an upper room, or a room remote from the public sidewalk, and then passing pedestrians would not be involuntarily constrained to stop a second or two to hear the boisterous cacophony of the jurors, and the deputy marshals could spare themselves and the pounced upon citizens these farcical arrests.

AFTER COLFAX WITH A SHARP STICK.

THE Sacramento Union, commenting upon "reluctant converts" and with special reference to Colfax's late speech at Denver, in which he feebly endeavored to put himself upon the popular side of what is called the railroad war or the railroad question, indulges in the following sharp strictures, not very flattering to the great smiler—

"Colfax belongs to a class of politicians who never risk their own scalps in any cause; are never pioneers in any reform; prefer submission to what they know is wrong rather than the dangerous path of duty in an attempt to apply new remedies. If he had been

created a horse instead of a smooth demagogue, his horse sense would have all run to the best means of shirking his duty at the wheel, of saving his shoulders from that galling which results from well-stretched traces when the load is heavy and the route up hill or through the mud, and how to throw the whole burden of it on the rest of the team. By and by, as horse or man; such animals are sure to feel the lash and be obliged to pull whether or no; but they nearly always do it with a bad grace. Now and then only do we see a Carpenter who, at the touch of the silken cracker of indignant public opinion, leans to his work with a good will, and shows a power and a disposition on the home stretch to pull the whole load and make up for his former shirking. Colfax is a horse of less honesty and spirit than this. He only even now on the home stretch makes a show of work. After the load has been carried through by others he approves of their pulling, but is just as unwilling as ever to undertake a new load. Nobody cares about his consent to the victories that have been won in spite of him and his class. What is demanded is that he help to win new ones.

"We suppose that when braver men fight out these questions to success and bear all the burdens of the desperate war, Colfax and his class will see the good of it, after resistance and years of maudlin sympathy with the wrongdoers, and come in at the end of the struggle in favor of the winning side. In any real reform of a public abuse such men are not worth ten cents an acre, and the people, thanks to braver men, are beginning to understand their value."

WINTER HERE.

AFTER considerable meteorological threatening, and a little occasional rainfall, to day we have a slight foretaste of winter in the shape of a continuous snow-storm, with mud enough underfoot. If too much moisture does not come, the roads may be very much improved by it, after a few days shall have solidified their surface. The snow on the mountains will be in constant sight henceforth for eight months, and canyon and mountain travel may not be quite so agreeable as it has been, though more so in regard to being free from dust. Farmers, gardeners, persons building, and others doing out-door work will be likely to take a hint to hurry up their business of that kind, before wintersets in and in earnest, though that may not be much before Christmas, for immediately after the present stormy time we may have some weeks of fine, dry, beautiful weather, as is often the case at this time of the year. Of this, however, there is no certainty.

One thing we may make a suggestion about, and that is concerning taking proper care of the children. Now is the time when warmer, woollen clothing should be brought into use—woollen under clothing, as well as over clothing, especially not forgetting thick, warm stockings and good, strong, thick-soled boots or shoes, if wooden soled clogs cannot be had, so that the feet may be kept dry and warm, for that is a very great advantage in the battle for health. A bad cold taken now by reason of wet, cold feet, before the body has become braced up and seasoned for the winter's cold, may stay all winter, and lay the foundation for other diseases, or otherwise prove a serious matter. Therefore it should be prevented if possible. Adults may know and think of all these things for themselves, but children are comparatively ignorant and thoughtless, and the duty devolves upon their elders to think for them, and give useful and pertinent thoughts shape in action for the benefit of the little ones.

THE FEMINE VIEW.

ONE favorite idea of those who are anxious for the overthrow of "Mormonism" has been that the women here are held in some kind of galling bondage, and that if they were only given fair opportunities they would repudiate their bonds, turn against those who hold them

in bonds, and then rush joyfully into the arms of their chivalric deliverers.

It was thought that when the "Mormon" women had the suffrage they would vote almost en masse against their husbands, fathers, brothers, etc. These women have had the suffrage nearly five years, but we do not hear of anything like a realization of the above expectation. On the contrary, we have heard of repeated attempts of the enemies of the "Mormon" people to deprive the women of this Territory of their right of suffrage and relegate them to the voteless condition of savages and idiots, from which many of the most intelligent and energetic women in all the States and most other Territories are striving to escape. Indeed, had it not been for the strenuous exertions of those striving women it is possible that the enemies of woman suffrage in Utah would have succeeded in causing Congress to annul the enlightened provision in the Utah statutes conferring the franchise upon women.

The woman suffrage opposition having failed, the enemies of the people of this region now indulge the hope that if the courts will only rigorously execute the laws that may be brought to bear upon the plural wife system, the wives will rejoice with joy unspeakable and shout for very gladness to be released from their matrimonial obligations. It may be well, however, for those sanguine "Mormon"-eaters not to be too forward in preparing their paeans for the hoped-for hour of triumph. One thing is certain—it has not come yet. Another thing seems quite as certain—it will not come at present. In fact, there is reason to think that it is further off now than ever. So far as we have heard, the women are becoming more interested in the matter than ever, and it was always a subject of great interest to them. Some of them are getting rather worked up about it, but the opponents of the "Mormons" may think they are getting worked up the wrong way. Said a woman the other day, speaking of recent indictments in this connection—"This will make hundreds of women plural wives. If I were not one, I would become one right away." So it seems that the women do not propose to lose heart upon this connubial subject or repudiate their marriage system just at present, notwithstanding the action of courts or Congress.

THE NEXT HOUSE OF REPRESENTATIVES.

MANY of the newspapers are figuring upon the probable results of the elections on November 2 and 3, and most seem to anticipate marked republican losses and corresponding democratic gains, and not a few anticipate a democratic majority in the next House of Representatives, so that the returns next week will be watched with more than common interest. The Sacramento Union of October 20 estimates in this way—

"The House contains 292 members. In the present House there are 195 Republicans, 88 Democrats, 4 Independents and 5 vacancies. That is to say—leaving the vacancies out of the count—Republicans, 195; opposition, 92. The October elections have changed these figures as follows: Republicans (loss 15), 180; opposition (gain of 15), 107. On the 2nd and 3rd of November 211 members are to be elected. If we allow only two-thirds the proportion of Republican losses in the October for the November election, or 20 per cent., we shall have 180 figures as follows: Republicans, 180; opposition, 112, equal 149. That is to say, the opposition majority of 11 in the House, and of 6 allowing the Republicans, all the vacancies. If the same ratio of loss that has been sustained by the Republicans in the October elections be applied to the November elections—32 per cent.—the figures would be as follows: Republican, 113; opposition, 173. It is not likely, however, that this proportion of loss will be experienced.

But it is, we think, probable that the Forty-fourth House of Representatives will have an opposition majority from ten to thirty."

ELECTION WEEK.—Next week will be a week of great interest to the political part of the people throughout the Union, in consequence of what is called the November elections, which come off on Monday and Tuesday, the 2nd and 3rd prox. On Monday two States—Arkansas and Louisiana—will hold their elections, and on Tuesday twenty-one other States will hold theirs. On those two days, in those twenty-three States, 211 members of the Forty-fourth Congress are to be chosen by the people, apportioned as follows—

Alabama.....	8	Mississippi.....	6
Arkansas.....	4	Missouri.....	13
Delaware.....	1	Nevada.....	1
Florida.....	3	New Jersey.....	7
Georgia.....	9	New York.....	33
Illinois.....	19	Pennsylvania.....	27
Kansas.....	3	Texas.....	6
Kentucky.....	10	Tennessee.....	10
Louisiana.....	6	Virginia.....	9
Maryland.....	6	Wisconsin.....	8
Massachusetts.....	11		
Michigan.....	9	Total.....	211
Minnesota.....	3		

A western exchange thinks that there does not appear to be a chance for the Republican party to gain a member in any of those twenty-three States next week, but that the opposition is almost sure to gain from forty to fifty members.

AMUSEMENTS.

THE necessity for recreation or amusement, to everybody, but especially to the youthful, is generally acknowledged. The old rigid Puritanic solemnity of feeling, which would suggest the hanging of the cat on Monday for killing a mouse on Sunday, has very few representatives in modern society. In-door and out-door games or trials of speed, strength and skill, theatres, dances, etc., are now, with some restrictions, commonly allowed to be things in which honorable and proper people may engage, and places which they may visit, without necessarily drawing upon themselves moral or social odium, or even odium theologium. Minnie Sherman is said to have declined to engage in a round dance with the British Prince, because her church (Roman Catholic) forbade that kind of dance, but presently she stood with him at the head of the set for a trip through the Lancers.

Amusements and recreations of these classes are not evils in themselves. The evil is in the abuse of them. Each kind of amusement has its admirers and its advocates, some preferring one kind and some another. Some people have no taste for horse races or men races, some none for gymnastic exercises, some none for games of croquet, some none for games of chance. Some prefer chess to chequers, some base ball to cricket, some music to dancing, and vice versa. Some people see nothing attractive in theatrical representations. Some can perceive no beauty in the poetry of motion, but regard all dancing as perfectly ridiculous. Some have no ear for music, and cannot distinguish one "tune" from another. Old Cobbett, that master of vigorous English, said that when a man preferred music to good, solid talk or reading, he preferred sound to sense.

All these tastes are natural and legitimate, capable of producing enjoyment, and the legitimate and prudent exercise and gratification of them are not to be denied. Still much watchfulness and good judgment are necessary in the indulgence of them, and especially by the young, because the very susceptibility to influences, indicated by these tastes, is sometimes taken advantage of by the unprincipled, who are on the alert for victims, whom they can easily lead astray.

Many people are prejudiced against public theatricals, dances, masquerades, etc., and with good reason. Not that there is any inherent evil in such amusements,

but because they can be, and often are, made the means of corrupting and ruining the young of both sexes. Under careful and prudent direction, any of these amusements may afford a great deal of innocent and even instructive enjoyment. But when viciousness has play, they may be the means of introducing much evil in a community, and of inflicting serious and lasting damage upon the juvenile portion of the public. Therefore such amusements cannot be either indiscriminately commended nor indiscriminately condemned. But this much may be said—they should be under good management, and when practicable the company should be select and unobjectionable. Most heads of families are very properly unwilling to permit their families to attend dances in which mixed assemblies do congregate. In masquerades or carnivals, still more carefulness is necessary, because they are not only usually attended by mixed assemblies, but, because of the masks, one cannot know whom he is associating, talking, or dancing with, and it may be with persons with whom, if known, he would not so closely associate, nor would he on any account permit the younger members of his family to have anything to do with them, if he could reasonably prevent it.

The congenial home of masquerades is in the corrupt society of France, Spain, and especially Italy. They have never obtained a sure footing in England, and are not very widely approved in the United States.

TRUTH AND JUSTICE.

"THE Post, referring to the fact that the Bee favors the election or appointment of a public defender, says—

"Perhaps a better plan still would be to allow the man who has no lawyer of his own to go without a lawyer, and to have it understood that in such cases the public prosecutor is to act as defender as well as prosecutor; that is to say, that instead of trying to make a case against the defendant, as it is now considered his duty, he is only to try to bring out the truth."

"Now that is what we call a sensible position. Prosecuting Attorneys mistake their calling when they take it upon themselves to convict a man *volens volens*. It is the duty of the prosecuting officer to get the facts; and an innocent man ought to feel as safe in the hands of a Prosecuting Attorney as if his case was in the hands of a fee lawyer. It is the guilty only who have cause to fear the officers of justice."—Oakland, Cal., Transcript.

One principle which the early legislatures of this Territory had in view was that courts and all the officers pertaining to them, attorneys included, should have for their chief end the securing of justice, and therefore should all make every endeavor to elicit the truth, the facts in the case, so that the guilty and only the guilty might be punished. The paragraphs quoted above from our California contemporaries are in harmony with the spirit which actuated the Utah legislatures in this connection, and we think with the Transcript that the Post, in its remarks quoted, takes a very sensible position.

In speaking of the court, or more definitely of the judge, it may not be amiss if we refer to Blackstone, who treats of "that noble declaration of the law, when rightly understood, that the judge shall be counsel for the prisoner, that is, shall see that the proceedings against him are legal, and strictly regular."

If the public, in all the judicial districts of Utah, for instance, were filled with the conviction that the judge and the prosecuting attorney were the friends, not in a corrupt sense, as to screen a criminal from justice, but the real friends of the prisoner, to see that no injustice was done him, how the judicial system of this country would be advanced in the general estimation of the Territory!

Mrs. Harris, who served as a nurse through the war, has been made consul at Venice as a return for her patriotism.