

## EDITORIALS.

## ANOTHER MOVE JUDICIAL.

MESSRS. Sutherland and Bates, attorneys of this city, were served yesterday (Feb. 23) with an order from the Second Judicial District Court, to appear on the first Monday in April, 1875, at Beaver, Beaver Co., to show cause why they should not be punished for contempt of court and prohibited from practising therein in that district.

These gentlemen are charged with, briefly, professional misconduct, delinquency, and insolent behavior, in forwarding to the Judge of said district the petition of six persons who believe themselves under indictment for alleged crimes in his court. The petition states that the petitioners are anxious for a fair and speedy trial of their cases, but they do not want to be thrust into prison to wait a long and undefined and uncertain time before trial, and they offer bonds for their certain appearance in court at any specified time to answer to such charges as may be then and there preferred against them. Documents published elsewhere in to-day's NEWS detail this matter more fully.

The gentlemen named are at a loss to understand wherein their action complained of can be construed into contempt. It cannot be in presenting the petition, because the right of petition is a constitutional one. Contempt is generally held to be "either direct, as by refusal to obey an order of court; or constructive, as when officers of a court are guilty of any corrupt conduct, abuse of process, or culpable neglect of duty." Constructive contempts may consist of, among other things, "fraud or malpractice of attorneys, solicitors, etc." or for breach of any prescribed duty in connection with court matters. But wherein has any of these contempts been committed by the gentlemen named?

Coming down to the law of the Territory in regard to contempts, it is equally difficult to see wherein the gentlemen have committed themselves. That law thus defines contempts—

"First—Disorderly, contemptuous or insolent behavior towards the Judge, whilst holding court, or engaged in his judicial duties at Chambers, or towards referees or arbitrators whilst sitting on a reference or arbitration, or other judicial proceeding.

"Second—A breach of the peace, boisterous conduct or violent disturbance in the presence of the court or its immediate vicinity, tending to interrupt the due course of a trial or other judicial proceeding.

"Third—Disobedience or resistance to any lawful writ, order, rule, or process issued by the court or Judge at Chambers.

"Fourth—Disobedience of a subpoena duly served, or refusing to be sworn or answer as a witness.

"Fifth—Rescuing any person or property, in the custody of an officer, by virtue of an order of process of such Court, or Judge at Chambers.

"Sixth—Disobedience to the order or direction of the Court, made pending the trial of an action, in speaking to or in the presence of a juror, concerning an action in which such juror has been impanelled to determine, or in any manner approaching or interfering with the intent to influence his verdict."

The petition, etc., was sent to the Judge of the Second District, and neither Mr. Sutherland nor Mr. Bates, the counsel for the petitioners, was in court or in chambers before his honor. How, therefore, they could be guilty of contempt as to his honor, the Second District Court must be left to explain. But the people at large are asking whether this affair is not, at bottom, an attempt, engineered by somebody, to deprive those petitioners of the counsel they have engaged, should they need it in the Second District court. This question and other cognate ones, of course, every citizen is at liberty to ask and answer for himself.

COMPULSORY EDUCATION IN ARIZONA.—The Arizona Legislature has passed a compulsory education bill. The *Miner* says—

"In this they have done themselves credit and conferred a blessing upon that portion of the rising generation who either have no parents or are still more unfortunate in being the children of those who have no care for the future welfare of their offspring. We hold that no man or woman has a moral right to so far outrage humanity as to bring children into the world and let them grow up in ignorance, to be a curse upon society and ashamed of themselves as long as they live. And it is proper that the legal right to do so should be taken away, so that the law of the land shall harmonize with the law of morality and common justice."

IN ORDER TO AVOID themselves of the benefits of the public funds they must send to the public schools, which are maintained by the taxes of all the people for the benefit of rich and poor alike."

COULD NOT AGREE.—A New York jury, before Recorder Hackett, reported that they could not agree upon the question whether the can-can dance was indecent and unfit for public exhibition or not. As witnesses some of the dancing girls appeared on the stand in theatrical costume and testified that there was nothing immodest or improper in the dance, that if it was very nice it was by no means naughty. Some of the jurors apparently believed the girls, and others did not. So this piquant foreign dance is not judicially condemned yet in the commercial metropolis of the Union.

DENIGRATION.—The following, from the Cincinnati *Times*, is worthy of consideration by a certain class of journalists in this country, who seem to have studied the matter complained of as a very coarse art, and to have attained great proficiency therein—

"There is a habit of denigration, to use a favorite word of Sir Arthur Helps, prevailing to a fearful extent with the press of this country, that is destroying its influence and seriously impeding all genuine reform. Its causes are not difficult to discover, and its results are apparent everywhere. It is this against which we cried out, for while we can respect an opposition that deals severely with our weak points, courtesy forbids our characterizing the sentiment created by a general denunciation that exhibits neither acquaintance, nor desire of acquaintance, with the truth."

PROPHESYING ABOUT IT.—The Cincinnati *Times* summarizes the Brooklyn affair, and thus prophesies that the defendant will never be convicted, and that the affair will always remain an unsolved mystery—

"We desire to make no comment upon these points, but to predict in the spirit of prophecy, as it were, that neither all this, nor any more that may be sworn to by anybody, will result in Mr. Beecher's conviction, or will close the case in the public mind. The question will always be an open one—it long since reached as near to a decision as it ever will. Those who doubted heretofore will always doubt, preferring to believe in Mr. Beecher to anything and everything else—those who were convinced will always be convinced. May Heaven speed the day, therefore, when the case will be laid on the same shelf with the authorship of Junius' Letters, and the identity of the prisoner with the Iron Mask."

WOULD NOT FAVOR MISCEGENATION.—An exchange has the following concerning the roughness of the course of love between black and white—

"On Thursday afternoon a well dressed colored man and a young white woman visited the city hall,

in New York, and made known their desire to be married by Mayor Wickham, but the latter replied firmly, 'No, sir, it can't be done. While I am mayor of this city I shall never marry a black man to a white woman, nor a black woman to a white man.' To a bystander who suggested that perhaps he had not read the 15th amendment to the civil rights bill, the mayor replied, 'I know all about those laws, but you can rest assured that notwithstanding them no marriages between whites and blacks can take place in this hall while I am the mayor of the city.' The colored man looked surprised, and the girls' eyes filled with tears. They afterwards made application to Justice Kilbreth to perform the ceremony, but the justice said he was 'too busy.'

THE SACRAMENTO UNION.—The Sacramento Union of Feb. 20, contains the following concerning the object in the late purchase of the Union—

"At the request of the party in whose name the purchase of the property of the Union has been made, we insert the following card—

"I have purchased from James Anthony & Co., the good-will of the Sacramento *Daily and Weekly Union* newspapers. The money to make this purchase was furnished by a number of citizens of Sacramento who are especially interested in the prosperity of the city. As soon as the proper business arrangements can be made the parties furnishing the capital will incorporate under the name of 'The Sacramento Publishing Company.' The chief object of the association in purchasing this paper is to make a first-class newspaper, which, whilst it will not be different in other respects, will be especially devoted to the development of the natural wealth and resources of the midland and northern counties of the State. It will be our endeavor to give such information as will attract to our part of the State its just and proper proportion of the great stream of immigration which appears to be setting this way. Whilst we will endeavor by all honorable means to build up our portion of the State, we hope never to be led into the folly of deprecating the southern and more distant portions of our commonwealth."

"H. O. BEATTY."

NOT SO VERY RICH.—Elder Evans, of the Shaker community, writing to the Hudson (N.Y.) *Register*, concerning the late fire in the buildings belonging to the community and the matter of a mutual insurance company in the society, says—

"We have never organized such an institution. Though the attempt was made, it failed from the want of funds to institute it consistently. The Shaker policy has ever been to depend on strict carefulness for protection from fire. An opinion has long been abroad that the Shakers are very wealthy, but this idea is also a great error. They do not possess much surplus capital. A very few thousands of dollars in bonds and a comparatively small amount of outside real estate, little of which is directly remunerative, comprise the entire amount of the assets of the surplus owned by the whole community at Mount Lebanon from which to draw for any emergency, and this is entirely inadequate to meet the demands of an emergency like the present."

A NEEDED BLESSING.—The San Francisco *Chronicle* says—

"The foreman of a cigar factory in this city has invented a system by which four hundred Chinamen working under him are prevented from stealing a single cigar without detection. If such a system could be inaugurated by which public officers could be watched, the blessings conferred upon the taxpayers would be incalculable."

COAL IN NEVADA.—A Virginia paper talks of wonderful coal discoveries recently made in El Dorado Canyon, a few miles south-east of Dayton. A flood in the canyon had torn away the road and the creek

bed, and exposed an immense bed of coal. There is a regular pavement of it across the canyon and for some distance along its course.

AFTER WATER.—The Denver people are anxious for a satisfactory water supply, and they are considering several methods of obtaining it, such as low line ditches and high line ditches, the purchase and improvement of the old Platte ditch with Holly waterworks, the construction of a new ditch with turbine waterwheels, and the sinking of an artesian well, 2,000 feet deep if necessary. The municipal council, however, progresses slowly towards a decision upon the matter.

NOT EN REGLE.—It seems that hats and overcoats are not in order in the judicial presence. The other day, in a federal court in this city, a member of the bar was pointedly invited, by the bench, to remove his hat, and apparently the overcoat is similarly obnoxious to judicial good taste in the federal capital, judging by the following from the Washington *Star* of Feb. 20—

"In the U. S. Supreme Court yesterday a member of the bar, who was present to plead a cause, arose and addressed the court without removing his overcoat. Instantly the justices commenced whispering together over this infraction of the respect due the court, and the Chief Justice stopped the learned gentleman in his argument and directed him to remove his outer covering. This being done, he was allowed to proceed."

A REFORM MAYOR.—Denver has a mayor, a "reform mayor," and this is the way the *Democrat* of that city speaks of his worshipful—

"The mayor is too much engrossed in realizing that twenty thousand dollars, which, before his election, he is said to have stated he could make out of the proceeds of the mayoralty for one term, to do anything to stop this thieving business. In fact, we happen to know, from the gamblers themselves, that the mayor has even been into the gambling halls and said, 'Go ahead, boys; so long as you keep quiet nothing will be said,' or words to that effect."

"He was elected as a reform mayor, and it is well known that he has attempted some of the most disgraceful tricks in connection with water and other matters, which would have brought eternal disgrace and odium on the roughest sport in Denver. He ordered the prosecution of a poor, one-armed soldier for keeping a lottery, etc., while in every part of town the 'Tiger' was openly displaying his glittering teeth on the fashionable green cloth of the faro table, and draw poker, for hundreds of dollars, used to rob citizens of their hard earnings, when they have not the moral courage to resist the temptation. How many a defaulter of public funds has been traced, even in this city, to these infernal institutions? How many good men have they broken down and demoralized? How many bondsmen have been compelled to pay defalcations to satisfy the hungry maw of these cormorants on society?"

"This thieving business" is the union of gambling with robbing of the victim, an instance of which, in regard to a prominent citizen of Denver, who had lost \$17,000 in that way, the *Democrat* was commenting on. That paper says that this "wholesale knavery and robbery must be stopped," and "if Judge Lynch is necessary to do it, let him come and do the work effectually."

MOST RAPACIOUS.—The Lincoln (Neb.) *Spy* thus indulges concerning the legislature of Nebraska—

The present legislature will long be remembered as the most rapacious that ever assembled in the state. They have voted away and stolen nearly every dollar and acre of land belonging to the state. In

the language of a prominent democratic member of the house, 'they have stolen everything that they could get hold of, and are mad because there is no more to steal. We ask the people of the state to look at the record of this republican legislature. Penitentiary, Saline land steals, printing steal, and hundreds of other steals too numerous to mention, but in the aggregate robbing this state until there is scarcely a dollar left, and even next year's assessment is partly stolen. We ask the people of Nebraska to remember these things, for the time is not far distant when these gentlemen will have to face the record they have made.'

PRETTY WELL ESTABLISHED.—

The Washington *Star* says— "It is becoming pretty well established that men will not be hung in this country for killing the seducer of their wife or daughter. Muybridge, the California photographer, who some time ago shot Larkins for betraying and estranging his wife, has just been acquitted. The plea put in in his defence was that of insanity, but it was poorly sustained, or not sustained at all, as nobody believed in it. The verdict of the jury, which virtually ignored it, was therefore practically that the shooting was justifiable, and the result seems to give general satisfaction to both the newspapers and the people of that State."

MOST CERTAINLY.—A Denver paper says, "If we do not come in as a State, we shall be compelled to accept the other alternative, and be satisfied as a Territory."

Very true and very logical.

## Local and Other Matters.

FROM TUESDAY'S DAILY, MAR. 2.

Arrived at New York.—Bishop John Sharp and his son, John Sharp, Jr., arrived in New York on Sunday morning.

Home Manufactured Chain.—Yesterday Haynes & Son sent off their first shipment of home manufactured cable and log chain, to Provo. Their workshop is on Morris & Evans' brickyard grounds, rear of the Theatre.

Home Missionaries.—We are requested to re-publish the following:

On Saturday and Sunday, March 6th and 7th, two days' meetings will be held at Mill Creek, services to commence at ten a. m. and two p. m.; the home missionaries and Saints from the neighboring wards and district are invited to attend.

Gloucestershire.—A private letter from Geo. L. Farrell, now on a mission in England, under date of Feb. 23rd, states that he had been lately actively engaged in traveling in Gloucestershire, where he met a great many people who were greatly interested in listening to his expositions of the principles of the gospel, and the indications were good for an excellent work being done in that section should the missionary labors be kept up vigorously.

Swallowed A Whistle.—On Saturday an eight year old boy, named Williams, living in the Sixth Ward, was amusing himself blowing a small circular tin whistle, about an inch in diameter. Somebody attempted to take it out of his mouth, when, gulp, and away it went, down his throat, and the unfortunate little fellow still remains on the outside of that tin whistle. His parents are somewhat alarmed lest the accident should result in an injury to him.

Deseret Museum.—Yesterday Brother F. A. Mitchell presented to the Deseret Museum a bow and arrows, from the Islands of the South Pacific Ocean. The bow is made from coconut wood.

Prof. Barfoot has also lately received, at the Museum, specimens of alum stone, yellow ochre and fossils, but the party forwarding them did not send his name, nor the name of the locality where they were found, information which he would like to obtain.

District Court.—Yesterday, Catherine Reese vs. John Reese, on motion of plaintiff's counsel, it was ordered that the order heretofore made herein restraining and prohibiting said defendant from selling, transferring or in anywise dis-