EDITORIALS.

UNLAWFUL PUNISHMENT.

A NUMBER of our brethren have been sent to the Detroit House of Correction for declining to promise that they will repudiate their plural wives. The prisoners confined in that establishment are put to hard labor. Some of the brethren from Arizona have been seriously injured, if not maimed for life, by mishaps with the machinery there. The law, under a misconstruction of which our brethren have been convicted, simply provides for fine and imprisonment. "Hard labor," or any other kind of labor is not mentioned in the law.

All that these prisoners are compelled to do while under sentence is in excess of the law. Those who put them to work or place them where they are required to work violate the law in doing so. Let the zealous howlers for obedience to the law, themselves obey the law. If the rules of the Detroit place of detention are such that all persons there confined must perform a certain amount of labor, then these prisoners should not be sent to such an institution. The friends of these men should interest themselves in this matter. Their counsel should be instructed to take proper steps, either to have them removed from Detroit or relieved from the hard labor which is a regulation in that prison.

Judge Zane once added "hard labor" to a sentence passed on a "Mormon," for living with his wives, but found that in his zeal to punish that class of defendants he had himself overstepped the limits of the law, and so had to "take it back." In their eagerness to squeeze these "Mormon" prisoners as harshly as possible, those officials who have ordered this transfer have exceeded the bounds of their authority and ought to be brought up standing as quickly as possible.

Perhaps our Delegate in Congress would interest himself in this matter if it was brought to his attention, and would call upon the Department of Justice to rectify the wrong. Something should be done in this direction without delay.

WHAT IS GAINED BY OBEYING THE LAW.

IT has been repeatedly proven in these columns that a rational compliance with the provisions of the Edmunds law is not a bar to prosecution in the Utah courts, and that a man having plural wives who endeavors to keep within its limits, fares not any better than another who makes no attempt to be governed by it. This received another exemplification in the Third District Court on Tuesday. Royal B. Young who, as a matter of fact, had only lived with his legal wife during the period covered by the indictments against him, was subjected to the segregating process, and the penalties of the law were so piled upon him that his imprisonment was made to aggregate a term of eighteen months and his fines nine hundred dollars besides costs, three times the lawful maximum both of fine and imprisonment.

The evidence against him showed that his plural wife, with whom the offense was charged, had been absent nearly all the time. But he had paid her two visits (the Court thought three) during that period, one at the birth of a child, the other at its death, and he was known to have called upon her early one morning after that period. The Court claimed that the circumstances of the latter visit indicated that the defendant had occupied her room during at least a portion of the night. The evidence most distinctly proved to the contrary. The presumption of the Court is not true, it was contradicted by the evidence for the prosecution, and whether true or false, the occurrence was after the last date in the indictment. Therefore the "crime" of Royal B. Young consisted of the visits we have named.

In taking this course the defendant understood he was living according to the law. His previous relations he admitted. But they ceased before the first date of the indictment. He had conversed with Judge Zane in the street and had asked him whether, in order to keep the law, he might visit his wives in case of sickness, take them to a concert or to a meeting at the Tabernacle or go out with them for a drive, and the Judge said if that was all he would be within the law. This conversation the Judge denied. He remembered talking with the defendant on the subject, but not making these replies. The public will believe the statement of Mr. Young in preference to that of Judge Zane, first from the character of the two individuals, second from the fact that the conduct said to be permissible was consonant with some of the Judge's earlier cohabitation defiuitions from the bench, and third, because it is a common sense view of the matter that has only been perverted by the contradictory and absurd rulings of more recent date.

If Royal B. Young had lived right along with his wives, cared for and treated them as such, paid no attention to the Edmunds Act or the opinions of a crafty Attorney or an echoing Judge, and acted acted according to his own convictions of propriety without regard to any legal restrictions or legal penalties, he would have been no worse off before the law to-day than he is after his strenuous efforts to avoid infraction of the law. That is the lesson which the Courts are teaching to the Latter-day Saints. It will not be without its effects. The punishment is just as severe when a man strives to obey the law as when he wilfully violates it. The intent, which is the essence of the offence, is not taken into account. If the accused can be brought within the meaning of the law, as cunningly construed by the Courts, no matter how he may have lived according to its apparent and common sense signification, he meets the same fate as if he had intentionally ignored or broken it. Also a mere technical infraction of its provisions, as so curiously interpreted, counts for just as much as a wilful and persistent disregard of both the spirit and the letter of the law.

The penalties inflicted on each of the triple counts in the last indictment may be viewed by some as a reduction from the usual extreme punishment. But when they are taken together it will be seen that in fact they are actually a duplication of the full terms and fines. For alleged cohabitation from June, 1883, to February, 1885, the defendant gets six months and a fine of three hundred dollars, and from the last date to his time of trial—about half the former period, he gets double the full fine and imprisonment.

We commend these facts and the lesson of this case to the consideration of "Mormons" who desire to live by the law if possible without doing violence to their conscience and their manhood, and of those non-"Mormons" who vainly imagine that the persecutors of the people of Utah desire to see the people "come within the law." Does it not show that their real purpose is to wreak vengeance, play the despot and make pecuniary profits out of the peculiar situation?

THE YOUNG REUNION.

THE meeting of the Young Family Association, on the afternoon of June 1, in the Theatre, was an interesting affair. The company comprised over three hundred persons, of both sexes and all ages, from the tiny infant to the octogenarian, the venerable President of the Society, Lorenzo D. Young, belonging to the latter class. The proceedings were opened with prayer by Elder Seymour B. Young. The exercises were varied. Among them were remarks by the chairman, also by Apostle F. D. Richards and Hon. Feramorz Little, B. B. Young and W. W. McIntosh regaled the company with excellent singing, B. S. Young and Katie Young rendered select readings and J. M. Young read a poem written for the occasion by Arretta Young, daughter of Franklin W. Young. A large portion of the time was spent in pleasant conversation, enterchanging of friendly sentiments and the relation of reminiscences of the past. There was also instrumental music and dancing. An excellent repast was served at 7 o'clock. After a very pleasant season had been spent, the company dismissed, the benediction being pronounced by Elder Franklin W. Young.

The sight of the company, all connected with one family, was one of unusual interest. It served two purposes—the celebration of the anniversary of the birthday of the illustrious head of the family, and that of a reunion of an association formed for the purpose of keeping cemented by the adhesive quality of friendly social intercourse ties that should never be severed. The occasion was suggestive of numerous thoughts. It has often been asserted that such men as President Brigham Young do not die, as they continue to live after they leave this probation, in the hearts and memories of the people. Brigham Young lives to-day exteusively in another sense. He is the parent stem from which shoot out innumerable branches. Suppose that the Young Family Association should render its re-unions perpetual for half a century, what would be its dimensions at the end of that period? If all the offshoots and connections should then be gathered up, it could be safely stated, without entering into the details of a mathematical calculation, that, under ordinary conditions of increase, the largest building in the world would not begin to hold them. Even yesterday there was quite a goodly showing, notwithstanding that many members of the Association were unable to attend, being absent from this part of the country.

It was appropriate and becoming to thus honor the memory of the illustrious dead. There are various ways in which this can be done, especially by the younger members of the family association. There is a way in which the memory of President Young can be perpetuated and kept shining with undimmed splendor that is ahead of all others—by the emulation of his virtues and, through perseverance and activity, approximating to his capacity for accomplishing a life-work that will endure after the fashion of the one performed by him.

RELIEF AT LAST.

THE action of the City Council, last night, in reference to supplying the residents of the North Bench with water for drinking and culinary purposes, is commendable. The consummation desired is not yet reached, but surely it amounts to almost a certainty now. The sufferers have been so often disappointed when the refreshing cup of cold water appeared to be approaching their parched lips, that they are tardy to believe in the actual realization until it arrives. They have in their sad experience proved the truth of the adage, that "There is many a slip between the cup and the lip." We can assure them, however, that the point has been reached when they may no longer doubt. Before long the result sought for by earnest effort, petition, pleading and the calls of humanity for over seventeen years will be attained.

The determination has been expressed to begin the work involved in affording the relief decided upon immediately. It should not only be promptly begun, but prosecuted with vigor to completion. The hot season is already here, and now is the time when water is needed more than at any other time of the year. The sooner the relief is afforded the more sickness and distress will be avoided.

The fact that water can be taken upon the Bench for the benefit of the people now evinces that it could have been done before. After it is an accomplished fact we should judge that those who have opposed so salutary a measure will feel, when they witness the beneficent effects that will flow from it, that they have been 'sitting on the tail of progress and shouting "whoa." When they see the improvement it will make in the condition of a large portion of the population, perhaps they will benefit by the experience, causing them to be determined in the forward portion of their career that they will not stand in the way of anything that will conduce to the happiness and prosperity of their fellowmen. The soul capable of genuine expansion can never derive unalloyed enjoyment from the use of any creature comfort that others do not possess. His pleasure will always be marred by the reflection that a certain portion of the family of man is suffering for the want of that which he is enabled to liberally partake of. A little more of that kind of disposition would be of immense benefit to a good many people.

We congratulate the people of the Bench on the near prospect of their relief from a long endured hardship.

A PESTILENT MEDDLER.

COMMISSIONER SPARKS of the General Land Office has made more commotion in the country than any other man who has held the position which he occupies. He seems to have aimed to upset the whole public land business, and to make as difficult as possible the acquirement of title and the use and benefits of the privileges afforded settlers under the beneficent provisions of the land laws. His stringent regulations in regard to the cutting of timber have crippled the mining and building interests of the Territories and hindered the progress of agriculture in the vales of the Rocky Mountains. And now he has thrown up a barrier in the way of the landless, by which many will be prevented from taking steps to secure homesteads and laying the foundations of independent industry.

His latest decree forbids all entries of public lands under the pre-emptiou, timber-culture and desert land acts until August 1st. The reason given for this suspension is that Congress has under consideration the repeal of those laws. This is a most remarkable excuse for standing in the way of the agriculturist and the laborer struggling for "a stake in the country." It is not known what dispositiou may be made of the measure to repeal those acts by Congress. If they are abolished, the law to repeal them will have been made retro-active by this order of the Land Commissioner. And if the bill for repeal does not become a law, the order will prove to have been nothing but arbitrary obstruction.

Sparks may be very brilliant, as claimed by some of his friends, but nearly ever since he has been in office he has made himself very much of a nuisance. He does not seem to understand the circumstances nor the people of the West, and his pottering and interfering have been very detrimental to the prosperity of this mountain region, and thus inimical to the general public interest.

ANOTHER "CULLOM BILL."

AND now we have another "Cullom bill." Senator Cullom of Illinois is one of those legislators with a hobby, who considers it his bounden duty to take a hand in every anti-"Mormon" scheme, and is never satisfied unless he is exhibiting to the country his opposition to polygamy. The Cullom bill which preceded his political defeat several years ago, was so shameful and outrageous a measure that Congress refused to entertain it and his name became associated in this region with everything arbitrary, oppressive and unjust.

Since his return to the National Legislature he has had a finger in every anti-"Mormon" pie that has been prepared in the Senate, and although there is a bill in the House providing for an amendment to the Constitution to prevent the establishment of polygamy, one which completely covers the ground designed, he has brought in a bill for the same purpose in the Upper House, appearing to think the matter cannot be properly handled unless he figures conspicuously in the business.

We have no particular objection to Mr. Cullom's measure, except that we do not think it is a matter of national concern nor a subject for Federal regulation. It belongs, if anywhere, to the respective States, and should be left to local regulation. It relates to domestic affairs, and belongs to the people in their different communities.

However, the more bills that are introduced on this subject the less likelihood there will be for any of them to pass, and as there is already too much anti-"Mormon" legislation by far, if a few more Cullums and Edmunds and other anti-"Mormon" fanatics will continue to ride their hobbies, the probabilities will be the greater for a little breathing time before the screws are turned a trifle tighter on the people of Utah.

AN UNINTENTIONAL ADMISSION.

THE organ of the Utah conspirators against the peace and liberties of the local commonwealth having denied that it had advocated and threatened the murder of the Church authorities, as a means of settling the "Mormon question," on Tuesday the NEWS convicted it by inserting the following editorial extract from the columns of the sheet referred to:

"The Pope of Utah should, in his underground retreat, read thoughtfully one sentence in the late letter of the Pope of Rome to the Spanish bishops. It is this: 'I would strongly impress upon you that, although politics are based upon religion, you must not engage in politics.' When the Pope of Utah sends a message like that out to the shepherds of his flock, the troubles here will nearly all pass away. The interfering with politics in Illinois is what cost Joseph Smith his life; the anger which is caused—the anger and fear caused by all the thousands of Mormons in Utah voting solidly as directed, will never cease until that rule shall be relinquished. It is a menace to free government which Americans will never submit to. When it grows dangerous enough, if no other remedy can be found, the one resorted to in Illinois will be invoked again."

The consequence was inevitable. Our unscrupulous cotemporary was placed at a decided disadvantage, and went into contortions. The effect of having a bolus of its own manufacture stuffed down its throat sent it into a high state of rage and excitement. Its editor resorted to his usual substitute for facts and logic, and opened his speuetic batteries, with short range guns, his vituperative abuse falling around his own proper person in an unsightly heap. Only fancy an "American gentleman" resorting to sound instead of sense. But, of course, men must use such means of refutation as they possess. Here are some of the arguments: "Dirtiest and and most stupid would-be assassin of character that was ever permitted to control $16 worth of type—liar at once so colossal cowardly and low—criminal deserving suppression, or a fool so gigantic that contempt and anger are lost in pity in contemplating it," etc.

Now, is not that a high-toned style of attempting to refute a fact. No doubt the Salt Lake *Tribune* feels decidedly miserable over the reproduction of its murderous menace of a few months ago, because such bloody sentiments are not calculated to help its cause *now*. The quoted editorial was published about the time when it and the conspirators whose organ it is strained every nerve to precipitate a conflict that they hoped would settle the "Mormon" question by means of wholesale slaughter. The military scheme fell through, however, and lately received a stinging rebuke from the President.

But the scribbler from whom the billingsgate of this morning emanated was so blinded with impotent rage that he showed his hand, and proved the position, we have always taken. "Out of their own mouths," shall the conspirators be again condemned. In describing from its standpoint the causes which led to the murder of Joseph Smith, our disreputable cotemporary says:

"The Mormon vote was given solidly to one party or the other, and the men of Illinois grew frantic under the unbearable crime."

If that admission was not unintentional it would embody an air of frankness that would be refreshing, considering the source from which it proceeded. The "unbearable crime" of the "Mormons" is that they "vote solidly for one party or the other." That produced the murder of Joseph Smith, and, according to the organ of the black anti-"Mormon" scheme, the same cause will produce the violent death, by assassination, of the present authorities of the Church. Why did the journalistic disturber and maligner not say at once, voicing the sentiment of the conspiracy: "If you 'Mormons' continue to vote solidly for your own party, direful will be the vengeance that will fall upon your devoted heads. If you vote solidly for us, everything will be lovely, for that is the kernel of the Utah nut."

We would advise our boisterous and vulgar cotemporary to be a little more dignified and less disgusting. Common decency demands it should. But it is a little too much to expect. At least it should not get so tremendously worked up as to make itself an amusing spectacle. When it is hurt it shouldn't make such a frantic exhibition of the fact.

BEYOND THE JUDICIAL JUDGMENT.

IT is to be hoped that Mr. Brain will persist in his determination to pursue Marshal Ireland for refusing to liberate him after having fully satisfied the judgment of the court in his case. If people are to be the subjects of extortion after that fashion, let it be demonstrated. It looks like an outrage. It looks like anything else than an upright official transaction.

Mr. Brain's attorney has no doubt of his ability to recover the amount. Unless the law is overridden and trampled upon, we should think there will be no difficulty, because in passing sentence the court made no reference to the payment of costs by the defendant.

WHAT HAS BECOME OF "HOLDING OUT?"

WHAT has become of the "holding out" theory? For a long time the definition of unlawful cohabitation, under the Edmunds Act, was "the holding out to the world and living with more than one woman as wives." This succeeded the ruling, in the Rudgar Clawson case, that "evidence to convict must show a reasonable probability that there had been sexual commerce between the defendant and his plural wife." The last named but first enunciated construction of the law delivered by Judge Zane, was entirely overthrown by that weathercock jurist turned in any desired direction by the Dickson wind, as soon as a case was brought in which nothing of the kind had occurred. To secure a conviction another construction of the law was necessary and it was forthcoming with the demand.

"Holding out" was then pronounced a chief constituent of the offense and became a public by-word. It figured with success in a large number of cases, and was clung to by the prosecuting officer and the courts as the one thing needful to cinch the plural-wived "Mormons." It was pronounced an essential to conviction, and was relied upon in every plea and charge to a jury in a case of unlawful cohabitation. The Supreme Court of the United States snapped at the phrase, and adopted the "holding out" theory as the very thing to operate against the "Mormons," and confirmed its application in their ruling in the Cannon case. Judges Miller and Field, however, dissented from it and avowed their adhesion to the common sense, established and legal and popular definition of the term unlawful cohabitation, given at first by Judge Zane in the trial of Rudger Clawson.

But when a case arose in which even the holding out theory would not work very well, new turns had to be taken, the judicial vane was moved to fresh points, and the "holding out" essential became a non-essential. The latest quirk is embodied in the term "association." No need to "hold out" a woman as a plural wife; no need to live with her; all that is necessary is to "associate with her as a wife" and that is amply sufficient to constitute "unlawful cohabitation."

But what is the meaning of "associate?" Has this word, too, a mysterious and changeable definition? It appears so. Webster defines it in this way: "To join in company, as a friend, companion, partner, or confederate; as to *associate* others with us in business. To unite in the same mass as particles of matter associated with other substances. To accompany; to keep company with." The root meaning is "to join or unite." Persons who meet casually or infrequently, who are not intimately brought into each other's society, are not understood as associates. A man who is called in to see a sick neighbor, who meets a lady at church or other public place, who attends the funeral of a friend's child or relative, who may be in company where another is present, cannot correctly be said to associate with the individual, though they may be acquainted and on speaking terms with each other.

Rationally speaking, a man who has a plural wife from whom he lives apart, cannot be said to associate with her in the above mentioned conditions. But rationality does not cut much of a