

EDITORIALS.

THE PERSONIFICATION OF ARROGANCE AND IGNORANCE.

We are impelled again to advert to the conduct of Commissioner McKay. We feel free to say that his manner of conducting proceedings in his court has no parallel on earth in a civilized community. As a matter of course his insults are directed toward those whom he imagines to be completely in his power—attorneys who are defending "Mormon" clients and tender women and children who appear in the capacity of witnesses.

On Tuesday, in a case in which the Commissioner acted in the dual capacity of court and prosecutor, he grossly snubbed a respectable attorney, and inferentially treated a decision of Chief Justice Kane to which his attention was being directed, with contempt. "Look at me!" is a common gruffly expressed imperative command of the official braggart, addressed to modest lady witnesses. He appears to forget that ladies are reticent about taking in so much burly beauty as nature has lavishly bestowed upon his Falstaffian highness, and that their eyes are not legally or otherwise at his disposal.

We have endeavored to pacify those who have felt grossly outraged at the insults of this official ignoramus, whose pretensions and puffy pomposity would—aside from the injury they inflict on the feelings of the victims to whom they are exhibited—be proper food for merriment. We have shown the necessity for the exercise of patience and charity on the ground that the gentleman may not be able to control his disagreeable proclivities. Some men are natural born gentlemen and some do not occupy that status either by birth or education. Men generally act out their natures. These apologetic qualifications we have heretofore tendered as by this time, however, well-nigh exhausted. If the Commissioner has not laid the last straw on the camel's back of patience, he is getting pretty near to the point of putting it there. In place of apologizing in his behalf we are more or less tempted to ask some pointed questions in reference to his frequent abuses of power.

Suppose it be admitted that the enormous bulk of legal proceedings against "Mormons" in the courts is for the purpose of solving a popular question, can any one tell, how much the speed of the solution will be accelerated by such unseemly doings as those referred to? Does it add anything to the dignity or efficiency of the crusade, or does it weaken it?

Would it not be as well to have a democrat in the position of the person under consideration, even if one of that political complexion should be selected who is only two and a half degrees above the brute, rather than to have it filled by a republican whose conduct does not indicate that he occupies even that meagre degree of elevation?

The reason for these interrogations is that the disgust created by some of the spectacles in the aforesaid Commissioner's Court is not confined to any one class of the community.

THE EASTERN QUESTION.

The latest advices from Bulgaria are far from assuring to lovers of peace. While the arbitrary demands of Russia are being acceded to on the surface—and this accomplished through strategy and overshadowing might—there is manifest a feeling of resentment to such present assumption and threatened future absorption of the insignificant principality on the part of some of its statesmen, who doubtless foresee the result of the great bos constrictor whose head is in St. Petersburg and whose tail is in Constantinople tightening its folds about them. Small as is the country in point of area, limited as is the population and meagre as are the resources, there is still something worth having, and those who have it propose to place it under no incubraunces other than such as the force of circumstances imperatively demands. Being compelled to yield to the enforced abdication of Prince Alexander, they have still left the right of choosing his successor by representation, and to this end a body styled the Great Sobranje is elected, whose duty it will be to definitely settle the question as to the personnel of the coming Prince. Of course the influence that will be brought to bear from all around the little monarchy will be sufficiently stringent to well-nigh if not entirely destroy every vestige of independent action on the part of the Sobranje; out it will go to the world as their deliberate preference, no doubt.

It is a peculiar commentary on human affairs, this Pan-Slavonic agitation from first to last. It is and has been a grasping for power and extended rule all along, men in the inferior stations acting merely as figure-heads at home and acted upon as puppets from abroad. It is quite probable that some foreign prince, whose only title to greatness is having been born in a certain family and whose only indication of aristocratic blood are a

feathery moustache and a pair of epaulettes, will be given the post of doubtful honor; Bulgaria will take him because she has to do so or fight, and she can't fight even if she can protest.

ADVANCE INFORMATION, OR DICTATION?

THE *Tribune* of this morning contains the following significant item:

"Although Girth, [Groether] the colub and polygamist, was not bound over on the charge of polygamy in conjunction with unlawful cohabitation, he will be indicted on that charge all the same."

There are a few points presented for consideration in the above, and they are of more consequence than would appear from a cursory reading. In the first place, if the writer speaks advisedly, the grand jury should be overhauled and re-arranged; for in that case, there is a leak in the craft somewhere. The inquisitors are not supposed to give information on any subject, either as to what they have done, what they are doing, or what they intend to do, and while we are not desperately enamored of that body, we still are willing to believe that the paper quoted has become so addicted to drawing on imagination and presenting its vagaries as facts, that it has done so in this instance. If that be the case, a kind of dictatorial arrogance is shown. It is equivalent to informing the grand jury that work which the Commissioner declined to set on foot for them, they can take up and conclude without such initiatory process, and that they must do it. Besides, if its reporter had correctly presented the evidence, it would be shown that the charge of polygamy in this case could not be maintained, unless, indeed, the law of limitation is ignored, as many other safeguards of human liberty have been here so often.

The fact that the *Tribune* is represented in the grand jury room in the person of its business head and occasional reporter, renders the squib in regard to Groether's case all the more significant. We do not say this because we believe Mr. Lannan would be any more unfair as a juror—pure and simple—than his colleagues in that capacity. On the contrary we doubt not that he is as well-disposed as any of them, and probably more so than some. His position in connection with a paper that charges, indicts and often convicts people in advance, is, however, most anomalous, in view of his being a component part of the inquisitorial body. His own paper necessarily places him before the public in a very questionable light.

DEATH TO THE PROMISE BUSINESS.

THE case of O. P. Arnold conveys an important lesson to the Latter-day Saints. It shows how much reliance is to be placed on the virtual agreement made by the Public Prosecutor and the Courts, of immunity to those who promise to obey the Edmunds law, and the extent of the benefit to be derived by those who are induced to make that promise.

When Mr. Arnold agreed to live according to that law as construed by the courts, the extreme rulings of late cases had not been delivered. "Cohabitation," at that time meant "living with." It was not given its common significance, it is true, but it was understood to comprehend actual dwelling together in the same domicile. It was not then considered that a visit to a sick child in the mother's presence constituted cohabitation within the meaning of the law, nor that providing for and occasionally meeting with a plural wife for the purpose of seeing to her welfare and the proper care of her children was to be construed as criminal. Mr. Arnold did not make such a promise as is now exacted, because such conditions as are at present imposed were not then passed on nor, we believe, even thought of or anticipated. His promise was qualified and was conditioned on caring for and recognizing his plural wife and her children.

The evidence at his trial showed no violation of his agreement as it was entered into and as he understood it, and had a right to understand it with the construction of the statute then given out as the law. But his conviction has been brought about by applying to his case the later interpretations of the court, which involves a course not required by defendants when Mr. Arnold was induced to make his promise. Those new rulings have been made retro-active in order to secure his conviction. He is now condemned to a lengthy imprisonment and a heavy fine, for doing that which was perfectly allowable under the construction of the law in vogue when he promised to obey it.

When a man convicted under the Edmunds law promises to obey it as construed by the courts, there is a mutual agreement. There must be at least two parties to every contract. The defendant promises to obey the law, and the Government as represented by the Court, promises not to punish him while he keeps that promise. Mr.

Arnold's case shows that no trust can be reposed in the treacherous illusions which in this class of cases pass for guarantees of the Government. He who relies upon them is in daily and imminent danger.

His very agreement is made a means to his discomfiture. He is safer without it than with it, for it renders him a special object of the spotter's scrutiny. If he renders aid to a friend who is in jeopardy, and thus excites the ire of the minions of the law, he is exposed by his promise to extra vigilance and double danger.

The great desideratum of the opponents of "Mormonism" seems to be the promise which is insisted upon by the judges and thought to be reasonable and proper by the unthinking public. What it really means has been explained many times in these columns. It signifies vastly more than appears in the words. He who makes it, promises to treat the wife who has borne him children and who loves him devotedly, worse than he would treat the vilest stranger. He must not meet her. He must not go into her presence to see a dying child or attend its funeral. He must not go to her home to visit her or supply her with absolute necessities. He might visit a sick stranger, but not a sick plural wife. But if he makes the promise, there is no telling what it fully implies. It may mean one thing to-day and another thing to-morrow. And, as in the case of Mr. Arnold, the new condition that is an afterthought may be required of him whenever it is manufactured, although it formed no part of his agreement.

It means the same in other cases as in Mr. Arnold's. It signifies that as soon as the promise is made a spotter will be set like a sleuthhound at his heels, to dog his footsteps, watch his actions and help to nose out a new case against him. Courtiers that he might show to any lady in need of them will be construed into indications of closer relations. The neighbors will be wanted to pry into his affairs and give evidence to his discredit. Conduct that in itself is innocent will be so bent and held up as to appear to be criminal. He will be more than ever an object of suspicion. And if he does not act like a brute without honor, conscience or affection he will be marked down for a certain prey.

This is, assuredly, poor encouragement to those persons made offenders who contemplate escaping punishment by giving the promise required. We commend it to their careful consideration. They should examine it and see how much benefit they are likely to secure as its reward. And those who urge the Latter-day Saints to bind themselves by that promise, should ponder upon the puny faith of the prosecution, and behold how much confidence can be reposed in the governmental part of the agreement. The Arnold case, we should imagine, will be death to the "promise" business.

USURPATIVE AND DICTATORIAL.

THE so-called Democratic Central Committee of Utah had a meeting in a law office here last evening, and after a lot of speech-making which contained more anti-"Mormon" froth than Democratic substance, placed a candidate for the position of Delegate to Congress in nomination, the individual thus set up in order that he may be effectually knocked down being Col. Wm. M. Ferry. Judge Basink had been previously awarded the fatal honor, but had sense enough to decline.

In the first place, how did Judge Rosborough, Mr. T. L. Williams and a few other fanatical anti-"Mormons" become the Democratic Committee of Utah? By what process were they inducted into their respective places, and by what right do they assume to speak and act in the manner and for the interest of that great organization in Utah, or elsewhere? Democracy is a strictly representative system of political belief and practice; its ramifications extend to and its powers are derived from the people in their several and sovereign capacities: no one can elect himself or others to office without a commission so to do from the party itself. For instance, if a Delegate to Congress is to be chosen, the representative Democrats in each precinct or township, pursuant to a call of the proper committee (who themselves have been previously chosen in the same way) assemble in primary convention and elect delegates to a county convention; this body in turn chooses delegates to the Territorial gathering, where their credentials are examined, themselves enrolled, and the work in hand proceeded with. Such action is binding upon all who recognize party fealty and moral responsibility, but nothing at variance with it is, because through such a plan, each individual Democrat's voice can be heard without resorting to the cumbersome if not impossible method of calling large numbers of them together—thus is representation secured and the Democratic idea maintained. The quixotic gathering of last evening did nothing that any good Democrat needs feel bound by, for two reasons—first, the committee nominated (or "recommended," as they subsequently softened the thing down to) Col. Ferry had no authority so to do even if they were the properly constituted Democratic committee; second, they are not such committee.

Of course no one, not even in the ranks of these anti-"Mormon" fire-eaters, has the slightest idea that their nominee will get more than a corporal's guard of votes; still, it behooves the People's Party, whose methods have been and are those herein outlined, to see to it that their vote is made as overwhelmingly great as though the election were likely to be a close one.

THAT TEST OATH DECISION.

THE "Gentle" jubilation over the decision of Chief Justice Hays at Blackfoot in regard to the test oath is a little premature. The purport of the ruling was not made sufficiently clear in the brief dispatch concerning it that was received in this city. The general impression is that it declared the act constitutional which provides a test oath for voters. That is a great mistake. It only affects the question of the qualifications of county and precinct officers.

The question before the Court was in reference to the lawful possession of the office of County Commissioner of Bear Lake County, by two citizens who had been duly elected and were in every way qualified, with the exception of taking a test oath similar to that prescribed for voters by the Legislative Assembly of Idaho at its last session. They refused to take that oath believing it invalid and in conflict with the provisions of the Constitution concerning legislation respecting an establishment of religion, and the application of religious tests to office-holders. Judge Hays has simply decided that the Legislature had the right to prescribe that qualification for county and precinct officers.

It is a little singular that only county and precinct officers are required to take the oath. No territorial officer is compelled to subscribe to it. The act in which it occurs is to be found on page 56 of the laws of the thirteenth session. It is "An act to fix the amount of the official bonds of certain county and precinct officers and to subscribe official oaths of officers." There is nothing in it about voting.

The act in which the oath for voters appears is on page 106 of the same laws. It is similar to that prescribed for county and precinct officers. But it has not been passed upon by Judge Hays, for the simple reason that it was not before him. And the decision in regard to one statute does not cover the ground of the other. They are separate and distinct and for different purposes. The decision in regard to one does not necessarily affect the other.

Judge Hays, in ruling on the powers of the Territorial Legislature, referred to the Edmunds act, in which it is provided that a juror may be challenged, under certain circumstances, on account of his belief. And he argued that if Congress could do that, the Territorial Legislature, possessing ample powers, could certainly provide the qualification prescribed for county and precinct officers. Granting this for argument's sake, the voting question is still undecided. For the Edmunds Act, in section Nine, provides that a citizen shall not be excluded from voting on account of his belief. So if the Judge takes the Edmunds Act for his guide, while he may rule in favor of the test oath for county and precinct officers, he may not consistently rule in its favor when applied to voters.

How far this distinction may be of benefit to voters at the present election does not yet appear. The question ought to be fully tested. It is of sufficient importance to be carried up to the highest court of the land. Steps should be taken to bring it before the courts. To deprive a vast body of peaceable and useful citizens of the franchise because of their membership in any church, is an outrage upon them and a defiance of constitutional provisions that no real Democrat can countenance or submit to. Those who for party ends wink at or encourage the infamy, are unworthy of the support of any good citizen and should not be counted in for association with any honorable man or party on earth.

A PLEA FOR THE POOR AND AFFLICTED.

WE have lately seen a financial exhibit which has directed our thoughts in a channel that should be of deep interest to the Saints. It is a compiled statement of the reports of the Wards of all the States of Zion of the receipts of offerings for the poor, and those of the Ladies' Relief Societies for the same purpose. It shows those operations for a period of six months.

The system of giving aid to the needy is for each Ward and Stake to forward to the General Tithing Office in this city an estimate of the amount needed for the ensuing half year from the Tithing fund in excess of the local contributions. The reports show several peculiarities that should be abolished. One of these is the exceedingly large amount of aid called for in excess of the contributions made in the Wards and Stakes for the purposes indicated. Nor is this all: in some instances the receipt columns for local offerings for the poor are a total blank, both

under the head of fast donations and Relief Societies. But there is, in some of those instances, no omission for the column provided for an exhibit of the sum needed from the General Tithing fund, which is thus made to do the whole duty of sustaining the poor in those particular localities. The Presiding Bishopric are disposed to give all the aid necessary for the relief of the needy from the means at their disposal for that object and make a liberal use of it for that purpose. But it is not creditable to the Saints who are well-to-do, and especially to the presiding officers in the Wards and Stakes, that the important subject of offering should be overlooked altogether, or at best only faintly recognized. It would indicate on the face of the matter that in those Wards or Stakes whose reports are blanks that there are no poor among the people of those particular sections. We will here remark that such a condition as the utter absence of people needing substantial relief of any kind is almost past belief.

It may be asked: "Is it not legitimate to supply the wants of the poor from the Tithing fund?" Certainly. And it is liberally applied for that purpose, and there are numerous ways in which they receive its benefits besides the mere relief of immediate creature wants. But that has no special bearing upon the tendering of offerings for a special purpose. Tithing is a law of the Gospel, and has been in all dispensations. Being a matter of rule, it is no more creditable to a man in reality to obey it than to be baptized for the remission of sins, or to comply with any other ordinance. There is no compulsion regarding it, but he is a poor apology for a Saint who does not willingly and conscientiously conform to it. It does not indicate any special generosity; it is the performance of a simple duty.

In relation to offerings, it is somewhat different. In them the man displays the character of his soul—whether it be expansive or contracted. If he merely conform to a stiff rule of the organization, and has not heart enough to accept the invitation extended by the Lord in the matter of offerings to the poor, he may be a good tape-line Saint, who regulates the good he does by the square and rule, but the generous, whole-souled spirit of the true disciple is not in him. When the test of feeling down into his pockets without being prompted by exact measurement-obligation is applied, he doesn't dig deep, and shows that he is pretty much of a framework Saint, having taken on the skeleton of the Gospel, minus the comely covering which constitutes the whole religious body, animated by the active moving spirit within.

Such showings as those referred to are indications of the condition of the people—allowing always for their temporary circumstances. They are still stronger as pointers regarding the quality of the presiding officers. In those blank Wards referred to, even they have failed to donate a dime to the support of the poor. If they are thus neglectful, what can reasonably be expected from the people? Those men in positions of responsibility, who think that the genius of presidency in a holy calling consists of attending public meetings, sitting on the stand with their hair brushed up, assuming a dignified demeanor, going out from thence and forgetting all about their duties—both temporal and spiritual—in looking to the wants of their flocks, will wake up some fine morning and find themselves short when they are called upon to give an account of their stewardships. Talking is also good in its place, and especially if it is of the right kind—the other kind is never in place—but when it has no backing by works there is considerable hollow-ness in it. Above all it should be remembered that wind is poor provender upon which to feed the hungry, and is chilly comfort to the naked. When we hear it whistle we feel tempted to exclaim, Let us go and do something.

Those Wards—there are quite a number of them—from which there is no showing upon the exhibit referred to in relation to the Ladies' Relief Societies, are in one of two conditions in that regard. Either those organizations have no existence there or they are practically if not totally dead. The Prophet Joseph made no mistake when he gave the organization its name. Neither do we apprehend that Sister E. R. Snow Smith and her leading associates at the head of it have made any error in their teachings in that regard. Those societies are what their names imply or they are nothing. The intent was to constitute in them an aid to the Priesthood, in caring for the poor and succoring the distressed, comforting the sick and the afflicted. These operations require the receipt and expenditure of means. Tender woman is much more adapted for an office of that kind, in some of its phases, than sterner man. It is a heavenly mission to alleviate distress. It should be well and intelligently done. The ladies can do much good, and do it, not only to the poor, but to all classes, especially in the matter of sickness. The more intelligent among them should see to it that it is done properly, particularly in families where there is bodily ailment and consequent distress. Encouragement should be tendered and a spirit of cheerfulness diffused.