cherish and defend her, she did not long survive the ordeal, and died almost before the child had the power of giving recognition of its presence in that first glance in which the eyes of maturity and infancy meet. Before this, however, she had already learned that when her husband told her he was unmarried, he lied; as a proof of it, at least, a woman arrived here from England, who claimed to be his wife, he having lived with her in the relationship of a husband before he came to this country, which relationship he immediately resumed on her arrival here, practically abandoning his more recent conquest, while he devoted all his regard and effort to the newly arrived.

The girl's brother did not shoot her seducer and murderer down like the dog that he was, and as "Mormons" are so freely accused of doing; he simply had him indicted for the crime, a conviction followed, an ineffectual appeal was taken, and the scoundrel was placed where it was fervently hoped he might remain for the term of his sentence at least, where he would have remained had he been a "Mormon" in fact, but now comes a pardon from the President after but a few months' service as a prisoner! And to give the whole story and show exactly who the prime movers were, the application for executive clemency went to Washington bearing the endorsement of C. S. Zane, Chief Justice of Utah, and W. H. Dickson, U. S. District Attorney, each by his signature ratifying the colossal falsehood by means of which the President was imposed upon, and induced to grant the pardon.

Another peculiar circumstance in connection with this dastardly business is the marriage of Simpson to the woman he lived with as a wife in England and Utah, upon the proof of which he was sent to the penitentiary. The defendant's attorney in vain sought to show and have it established that their cohabitation and admissions were not sufficient for the purposes of a conviction on the charge of bigamy; he was promptly and properly overruled at every point, and Simpson was found guilty. Afterwards, it seeming to appear to the Judge and prosecuting officers that the first alliance, being merely immoral, and the latter simply adulterous, the culprit ought to be pardoned! Of course he had; as those worthies administer and interpret the laws, he should not have been convicted at all, since the machine's missiles are only aimed at honorable wedlock, not at the other thing.

But the fact of Judge Zane having yesterday united Simpon in marriage to the first woman referred to, *certainly* caps the climax. The Judge first holds that the defendant is the husband of a woman at the time he (the defendant) contracts a *bona fide* marriage with another; through his rulings in that direction the said defendant is sentto the penitentiary; he (the Judge) then makes use of his official position as a means of having the criminal escape because of being a good fellow on general principles; and when the said "good fellow" emerges from his cell a free man, the Judge akes it all back, the woman was not his wife, the poor fellow has been unjustly punished and has always been a "marvelous proper man." It is to be hoped his honor blessed them as they were leaving the presence, and that, in consideration of the little wrong he had done the blushing bridegroom, he waived the customary fee.

This is justice and judicial procedure as they occur in Utah. On reading of them, the people can only say, in their anguish of soul, "How long, O Lord, how long!"

THE SUFFERING TERRITORIES.

UTAH and some of her sister Territories have a hard thing of it with their imported officials and local grand juries at times. One being but the creature of the other here, and perhaps elsewhere among the dependencies of the Pacific Coast, it is reasonable to conclude that the system itself is at fault. But how is that to be remedied? is the question. So long as the Government keeps the Territories as a sort of reservation for the quartering therein of broken-down hacks and political incompetents, it is quite likely that murmurs of complaint will swell the volume of every outgoing breeze, and nothing can be accomplished for the genuine good of the public hereabout until the system is reformed, not indifferently but altogether.

A recent dispatch from Tucson, Arizona, states that the United States Grand Jury the other day came into court and presented a resolution declaring that the body had no confidence in the District Attorney as their adviser. It has been an open secret for several days that he has been thwarting the efforts of the jury in their efforts to inquire into affairs. Although the attention of the Department of Justice was called to the fact some days since, nothing has been done to help the Grand Jury out of their dilemma. The government is without a legal representative. The validity of the grand jury, which has been contested several days by almost the entire bar, was decided the same day by the Court as legal and valid.

That is in Arizona. It sounds enough like many things that have been told and many more that could be, in and of Utah, to justify changing the name of the place where it is dated and giving it local application. It has to be endured for the time being, however, because it can't be cured.

THE IDAHO DOGBERRY.

IF the Territories keep on developing geniuses as they have been doing for some time past, it would be a good scheme later on to consolidate them under the name of the "Modern Athens." There was a time when it looked as if we might confine these ebullitions of wisdom—these volcanic outbursts of greatness, so to speak—to Utah; and we were a long way ahead in the race as measured with any of our neighbors; but they, doubtless becoming envious at our prowess and consequently more energetic, are pulling rapidly alongside. Our own Territory and Idaho are especially conspicuous in the manufactory of new law by judicial process, our imported judges and many of our fortune-hunting jurists not merely magnifying but grandly illuminating their callings. Our northern neighbor got along very well for a while and might have been left to flounder in the mire of oldfashioned principles till the present time, but for the example set her down here.

The most recent expounder of the new dispensation of things judicial there is one J. C. Hays, who, if we are correctly informed, occupies the position of judge of the Third Dictrict Court of Idaho. Who or what he was before, or where he came from, the Encyclopedia fails to inform us in relation to; but he is evidently a thoroughbred in judicial harness and certainly ought to be doing better than holding a $2,600 position in an out-of-the-way corner of the Far West, unless, indeed, his mission be one of charitable enlightenment, which is quite probable. Some of his expositions of law, however, are more nearly exposures of himself than anything else we can think of, or else the grand caravan of great minds whose names alone remain with us and will never be dimmed, were grievously and altogether wrong as to the matters concerning which there is so much agitation.

Mr. Hays took occasion during the trial of an unlawful cohabitation case before him at Blackfoot the other day, to reprimand one of the attorneys practicing before him for saying to the jury that prior to the enactment of the Edmunds law polygamy was not a crime. His honor (so-called) could not permit so splendid an opportunity to pass for arraying himself alongside the authors of the great modern idea, and he would have that lawyer understand that no such doctrine could be advanced while he was on the bench; it was nothing of the kind; polygamy was always a crime, with or without the Edmunds law. Now this, apart from the vainglorious air in which the words were couched, shows a lamentable state of ignorance, or a mind surcharged with political venom—either being a sorry condition for a man who sits in judgment and is supposed to be unbiased and unswerved by applause or gain. Polygamy is *not* a crime at common law, and we defy Mr. Hays or any other Mr. to show that it is; we defy him to show that any act of man, except such as are forbidden by the Decalogue, is a crime in the absence of a statute against it—not that we are experts in the business of defying, but because our position is impregnable. Marriage in any form was simply the outgrowth of experience and necessity, the union and living together of the sexes being a law of nature until it became a recognized rule of good conduct among more advanced people. Nothing that is natural, beneficial and productive of good is a crime at common law, and plural marriage is all of these and more too, for it finds enforcement and consequent sanction in the edicts of Divinity. It follows that polygamy must, therefore, be enacted into a crime before it becomes such, and remains a matter at the option of the individvals contracting it in the absence of such enactment. Which, then, was nearest right, the attorney or Mr. Hays?

It is also reported that the attorney suggested the point that Judge Boreman, of Utah, was in consonance with himself on that position, and that Mr. Hays made the withering reply, "If Boreman is that kind of a man, I don't think much of him." This was very argumentative, quite conclusive, and exhaustively analytical. Any one can see at a glance after that masterful rejoinder, that Boreman is completely annihilated. The contempt, even at long range, of so gifted a genius, so absolute a prodigy, as that Daniel who has come to judgment at Blackfoot, is so conclusive upon the point at issue, that further controversy should be barred forever. The fact that Mr. Hays' disfavor happens to fall like the shadow of a raven upon a fellow being, is a quietus, a finisher. For him not to think much of an opponent is or should be an estoppel as to all the points that opponent may have raised. When he don't like you, make haste to crawl back to your shell and thereafter hold your peace, for verily the subject is exhausted and you are definitely and forever extinguished. Great is Hays; he is as great—yes, as great as Zane. Loftier panegyrism than this it is not in the power of the most eloquent admirer to bestow.

All the same, we don't believe that Judge Boreman ever took the position the announcement of which brought forth the avalanche of denunciation from Mr. Hays. If he did, he has been improving wonderfully of late. Such a position is the correct one to occupy, and to say that the Judge ever occupied it when his attitude might be made favorable to a "Mormon" is to make too severe a draft upon our credulity. What he did say, whether he ever said the other thing or not, was that unlawful cohabitation was not a crime prior to the Edmunds law—but we presume even Mr. Hays would be willing to admit that.

THE POLITICIAN.

THE professional politician is a curious piece of mechanism. All his aims, ambitions and hopes centre in himself, disguise it as he may under the poorly-fitting mask of patriotism. As a rule he is a slave to his party, and fears to revolt at improper measures and unfit men presented to him for support, because a rigid adherence to whatever is done by conventions and "bosses" is a test of fealty to the organization of which he is a member, and a failure to "toss his ready cap in air and lift his voice in servile shouts" during a campaign is equivalent to abandoning all hope for such preferment as that party can bestow. He is brought under subjection and kept in line through abject restraint, servility sometimes, with the hope of being rewarded when the places are passed around by appointment from the successful chiefs, or of subsequently being a candidate himself. He is expected to swell the refrain of "The country is saved" if his faction wins, and join in the dolorous dirge "The country is gone" if it does not. He must subscribe liberally when the hat is passed around to defray the expenses of a canvass, and look pleasant while doing so; to make a slight protest would be conclusive as to his disaffection, and even to hand over too mechanically is a cause of suspicion, either of which may drop him down one or two on the preferred list of those who occupy the bench of anxiety. No, he must be a lackey in waiting until his name is reached, if it ever should be, and then take what is offered or nothing, generally nothing. All this time the drafts upon his time, his money, his energy, his faculties and sometimes his conscience (if he has one) come along with reasonable regularity, his service upon a capricious ruler must neither be wanting nor doubtful, and if he at last becomes dissatisfied with unrequited subserviency and goes to another organization, he finds himself worse off than ever, since those he left are done with him forever, and he must begin at the foot of the rolls in the new camp.

It is truly a great thing to be a politician. There is scarcely one of them that is not in his own esteem an embryo statesman and always a patriot—his definition of either, if honestly given, being the holder of an office and receiving money from the public treasury. He was fitly described by Orpheus C. Kerr several years ago, when that humorist wrote—"Patriotism is a great thing, my boy; it begins in the brain and manifests itself first at the mouth; it then travels downward rapidly, until it reaches the pocket, where it suddenly collapses."

There may be some few exceptions, but we have not missed the rule to any great extent in what is here stated. Even the majority of the exceptions are cases where accident or good luck have obviated the necessity of drudgery and severe discipline -- men who through a combination of circumstances have been wafted into the political haven of profitable position on the first flood tide, and without special effort or merit of their own. An honest, earnest, educated and industrious citizen who receives no positions that do not come to him unsought, is worth a whole army of professional politicians to any country.

THE EDICT OF NANTES.

A TELEGRAPHIC dispatch printed elsewhere in to-day's NEWS gives the details of a meeting held in New York of the descendants of the Huguenots, the object being to commemorate the revocation of the Edict of Nantes, it being the second centennial of that occurrence. Among those present was Secretary of State Bayard, who delivered an address and offered a series of resolutions, which were adopted, declaring the sentiments of the gathering in relation to "that monstrous act," deploring the irreparable loss it had inflicted upon France in relation to all the arts, sciences and devotions, and in driving half a million loyal French subjects into exile; invoking for France a pure and tolerant Christianity, and claiming the absolute separation of church and state to be the true policy of advancement and prosperity.

The decree spoken of was issued by King Henri IV., of France, on the 13th of April, 1598. It gave Protestants the liberty to celebrate wherever they already had organizations, with the distinct understanding that tithes to the Papacy were not to be discontinued, and that all the outward forms and methods of the Catholic church were to be observed on public occasions. It was a stride in the direction of religious freedom for that time and place; but the political strength which the Reformers had thereby acquired was overcome by Richelieu, and the edict itself was finally rescinded, as above stated. The revocation caused a large number of the Protestants to leave their native land and take up their residence in other countries, many of them coming to America, and those who engaged in the celebration referred to are the descendants of those refugees. It was because such immunities and privileges in the exercise of religion as they were able to acquire were destroyed that the Reformers left their native land, but why the offspring of that people should "celebrate" the occurrence, is not stated; perhaps it is because they were forced into a purer atmosphere and a better condition of things.

The divorcement of church and state is sometimes a desirable condition, sometimes not. Where churches control through the superstition and ignorance of their communicants, as was the case in France at that time, the results to the human family can but be disastrous; but where the church paves the way for the state and subsequently is its chief pillar, guide and support, through proper teachings, good examples and appeals to the understanding and intellect of the masses, its sway can but be beneficient and the results accomplished such as tend to the moral, spiritual and material welfare of mankind. One cannot long exist without the other; and when the temporal power is created out of and pays tribute to the truly spiritual, it rests upon a sure foundation, because appealing only to the conscience of man for approval and looking for perpetuity to the confidence gained through deeds well performed. A state without a church never was and cannot be; it is only necessary to give each the place among the world's affairs to which its importance entitles it.

THE MINER DISBARMENT PROCEEDINGS.

IT is a fair presumption that the Bar Association understand their position in society and the responsibilities which devolve upon them professionally better than we do; it is also a reasonable conclusion that with a few exceptions they are disposed to treat each other and the world at large as well as their contentious calling will permit. They are supposed to be a society, brotherly in their interchanges, high-minded (not high-handed) in their deportment, and to take no advantages which do not legitimately come in the course of practice. But if they can find ample and complete justification for the position which the Court has forced upon them in the matter of the disbarment of Aurelius Miner, their ideas of their own rights and privileges and regard for the amenities and tolerance generally extended to those who are of and with them, must be very adjustable if not elastic.

Mr. Miner was convicted on a charge of violating the law against unlawful cohabitation. The question of the right or wrong of what he did in that connection has been discussed sufficiently and does not form a part of what we have to say in this article He conducted his own case throughout, and made it appear, from first to last, that if even the members of the bar were convinced that he had committed a violation of enactments made since his entering into the discharge of what he regarded as a sacred duty, he had not since that time opposed the operation or spirit of any law, and had endeavored, so far as circumstances which had long since gone beyond the control of man would allow, to square his conduct to the existing order of things. Against his standing at the bar and his record as an attorney nothing was urged except the fact that recent enactments conflicted with him; and as he refused to change in accordance with the changed condition, he was therefore guilty of moral turpitude as well as the violation of an *ex post facto* law. Moral turpitude, forsooth! In what? In not abandoning his household and refusing to place the brand of infamy upon children begotten before his act was made a crime? In not turning his back upon a woman who he vowed before God and acknowledged before man was a partner of his joys as well as a sharer in his sufferings, long before the measure of man which made an offense of the act for which he was convicted was brought into existence? Refusing to violate a contract which transcended the importance of any mere transaction expressed upon paper? These are what the accusers of Mr. Miner rely upon to establish their claim of "moral turpitude," and we ask them and the reader also, to consider carefully and point out where and by what means the elements supporting such an indictment are to be found. Turpitude means such a condition of mind as leads one to do improper and unjustifiable things, deliberately, for the sake of doing them, and having an unforced choice of right or wrong beforehand—the act of a man depraved by circumstances which he could evade, or by intention aforethought. Do either of these conditions appear, even after all the straining and forcing of the Salt Lake bar urged on by the Judge on the bench, in Mr. Miner's case? If so, we ask again, where?

The times are out of joint when members of an organization so justly prominent by reason of the learning, experience and supposed impartiality of its members are willing to deny an accused, convicted and humiliated brother the benefits of such legal rights as they would contend for in the case of the hardest criminal that ever breathed. The operation of law as it is may send him into a dungeon cell for what he did when so to do was not classified among the crimes, and he believing then as now that what he did was not only not against the law but justifiable, proper and right; but it cannot alter the facts that his conduct otherwise has always been good, that no charges of actual immorality have ever been made against him, that he is a good citizen, that he has fair ability, and that he is the oldest practitioner at law in the Territory, having in that connection held a higher official position than any of his accusers. The circumstances connected with that conviction need not now be rehearsed, for the reason that they are pretty well known and thoroughly comprehended; but even those who brought and forced through the charges must, if they are candid, admit that cases in which there was more of law as defensive matter have rarely appeared in their experience, even with proper regard for differences of opinion as to what the scope and power of the law is or ought to be. Making due allowance for everything and coming to the point at once, what was the attitude of Messrs. Marshall and Hoge, representing the bar of this city as egged on by the Court, on the occasion referred to? Was it a sincere desire to purify the bar and purge it from all taint of sin and corruption? If so, the movement was a failure, since sinning cannot be controlled and corruption will be practiced silently and under cover in spite of examples. Was it to show how loyal to the government and obedient to its laws are the bar of Salt Lake City? If so, it was a huge fraud; for, adopting affectionate regard for the powers that be at Washington as the standard of fealty, there are men left in the bar who not only refused to yield allegiance but fought in the field to establish the right of defiance to the government and spurned its authority as though it had been that of the hosts of perdition—and these are not acted against, are unmolested and even respected—while one of the offenses charged against Mr. Miner was that he would not obey a law which recognized as an institution the very thing which those men fought to sustain and which the government at last overcame. Was it to exhibit a servile prostration before the Court and confess how truly and sincerely those who are supposed to have such independence of thought and manhood of action as place them beyond the fear of a small man's scorn and a bigot's rebuke, are subservient, even to displaying none of the ennobling qualities ascribed to them when the hope of gain or the desire to keep in line with the "popular idea" takes possession of them? If so, it was a grand success. The victim was hounded down, bound, disfigured and disgraced; he could no longer appear for others in the arena where he had so long done so, and could only appear for himself by sufferance and the extreme "liberality" of the court and bar; but he could even under such disadvantages make an argument as greatly superior in point of analytical reasoning and legal skill to those of his assailants as it is possible for anything comparative in its quality to be.

Was there much to be gained to the bar, or to the Court, or to the people, by adding to present humiliation and punishment, prospective sorrow and disgrace? A man of advanced age, whose best years have been spent in the practice of a profession to which he is attached and whose discipline and honorable condition he has never wilfully assailed, asks that this one blow be spared him, even begs it, and from those who rush to form conclusions justifying expulsion, and in their zealous haste to do their master's bidding go even further than he asks them to—for, basing their assumed vigilance and uprightness of conduct upon a forced judgment, from which an appeal may be and we believe has been taken, they would secure in hot haste a debasement which a superior court may hereafter completely nullify and restore the victim to his former station. One would naturally suppose that lawyers, especially when proceedings against one of their number were instituted, would be apt to resolve all their hesitations, doubts and uncertainties into as much of benefit for the accused as possible; but it seems as though all considerations for themselves and their ranking officers are in the direction of opposing "Mormonism" as a creed and inflicting pain and punishment upon its adherents whenever possible, by whatever plan, and as severely as circumstances will permit, right or wrong, be the results good or bad. "Whom the gods would destroy, they first make mad."