

EDITORIALS.

ELECTRICAL EXECUTIONS.

"HANGING is played out." This used to be the murderer's boast in Chicago, San Francisco and other great cities where slayers of men were permitted to escape the gallows, either through a wide interpretation of the phrase "emotional insanity," or the disinclination of pliant juries to send a man to the gallows. But hanging is now, or soon will be, really "played out" in the State of New York. After January 1st, 1889, persons condemned to death in that State will suffer the extreme penalty by electricity and not by strangulation.

This method of terminating the earthly career of capital criminals has been recommended by a number of scientists for some time, but New York, we believe, is the first commonwealth in the Union to put it into practice under legislative enactment.

There is something revolting in the practice of choking to death criminals whose lives are forfeited to the law. It is the death of a dog. In ancient times he who was thus thrust out of mortal life was deemed accursed. The antiquity of the custom does not clothe it with any degree of respectability or apologize for its continuance in the nineteenth century. Modern progress demands something less barbaric. Indeed those who consider themselves "advanced thinkers," demand the abolition of capital punishment and consider it wrong to take human life under any circumstances. This, however, does not obtain to any great extent, for, after trial, it has been found inexpedient and the death penalty for murder has been restored. The substitution of the battery for the rope seems to be the most likely reform in the punishment of capital offenses.

This mode of execution seems to be in many respects vastly preferable to the barbarous one of hanging. It is said to be instantaneous. It is free from the liability to those horrible scenes by which bungling hangmen have brought disgrace upon the places where they have occurred. It is comparatively painless; at any rate the sufferings of the condemned are not prolonged, and the convulsive twitches, seen after the shock, are explained as merely muscular contractions to which the executed person is totally insensible.

Under the New York law there are other features which make it preferable to strangulation in the old-fashioned way. There will be no public or semi-public exhibition of the catastrophe. The culprit will be taken to the death room, where only such witnesses as are necessary to certify to the execution will be present, and there killed by one powerful shock. The mystery of his death will give to it an air of terror sufficient for outside effect, and thus act as a means of restraint upon the criminally minded, equal at least to that afforded by the hanging process. Particulars of the execution, too, are to be suppressed. Publication of the details is prohibited, and only the facts of the final act are to be given to the press. There will be nothing in the proceedings to feed that morbid curiosity so common among the public, nor that sentiment of false heroism with which the criminal class view the malefactor who "dies game."

The tendency of modern thought has been for some time in a humane direction. The torture of criminals is not tolerated in civilized nations. The catalogue of capital offenses has been reduced to a minimum. And public executions, which drew together the worst elements of society and helped to brutalize instead of reform the hustling, howling, profane mob, have become the exception instead of the rule. The speediest and least painful process of death for malefactors has become a public desideratum.

We do not believe in any method of capital punishment that does not involve the shedding of the blood of the murderer. "Whoso sheddeth man's blood by man shall his blood be shed," is the divine law against murder. "The life of the flesh is the blood thereof," and the pouring out of the life fluid is the only atonement a murderer can make for his unpardonable crime. But as between the two methods, strangulation and a fatal electric shock, we think there will not be a long hesitation in civilized communities. When the experiment inaugurated by New York has been demonstrated to be successful, other States will soon follow the example, for peoples are imitative as well as individuals, and hanging, we believe, will soon be "played out" in the entire United States.

A PEACE DISTURBER.

The new Emperor of Germany may properly be designated as Bismarck's bad boy. The iron chancellor may possibly manage to keep the young man in check for a time, but he is too impulsive to be held long in restraint. He has begun to fulfill the fears concerning him and justify the criticisms that have been expressed regarding his character, with startling suddenness.

Almost before the corpse of his re-

spected father was cold, he launched a couple of boats upon the sea of his imperial policy in the shape of proclamations to the army and navy. Both documents are ominous, showing that he expects to make active threshing machines of those he addresses at the earliest practicable date, for the purpose of showing that the new German "war lord" is not a whit in the rear of his illustrious predecessors. He even goes so far as to assert that the spirits of the ancestors of the House of which he is a scion are looking down and propose to make notes of the progress of future developments, expecting German arms to be as formidable in the hands of the present generation as they were in those of the progenitors of the existing race of Teutons. The young emperor significantly places the army and navy first and the people last in the proclamation business, and Europe looks upon the present situation somewhat tremulously.

When the young Emperor was Prince William, he made no secret of his warlike views. He expressed great confidence in the ability of the powers included in the tripartite alliance—Germany, Austria and Italy—to demolish any other international coalition that could be formed, and that there should be no hesitancy about striking the first blow. He was opposed to waiting for a belligerent demonstration from the other side. The proclamations are therefore taken as an indication that he still adheres to those warlike ideas, and France is specially agitated on the subject.

In the meantime the subtle and able Bismarck will be at work upon William and may probably induce him to assume a more pacific tone in his address to the people, which will likely be issued tomorrow. If he manages to put the brake on the impetuous and ambitious emperor, it will only be effective for a time, for if William II is the sort of person he is described as being, he will grow impatient at the check and throw it off.

The eyes of all the nations will be upon him. He is regarded as a disturbing factor, liable to break the peace of the world at any moment. A man of his impetuous, arbitrary and ambitious disposition, with power in his hands, is as dangerous to the peace of Europe as a small boy combined with a box of matches is to the existence of a barn well stocked with inflammable materials.

HONORABLE WARFARE.

It would be creditable to the great political parties of this country if, in the coming campaign, they would refrain from tactics that in former struggles have been very disgraceful to both.

In the first place, there should be no flinging of filth against the respective candidates. It should be a conflict of principles, not of individual reputations. The shameful report circulated at St. Louis against the personal character of the Chief Magistrate as the Democratic candidate, was vile and contemptible both in manner and matter. It ought to be drowned in a flood of universal condemnation. The disinclination of its originator to acknowledge its paternity is a good sign. At one time he would have gloried in recognizing his child of infamy. Now he is keeping in the dark, where he properly belongs. This should be a token to the slanderers and scandal-mongers that this is not to be a mind-throwing campaign.

In the next place, there should be no falsification of the views of the opposition. There ought to be virtue enough in the doctrines of either party to stand upon their own merits, and manhood enough in their advocates to pit their adverse opinions one against the other fairly and without misrepresentation.

For instance, take the comments of many papers on the Democratic platform, as an illustration of common political prevarication. That, with the President's message on the tariff and the Mills bill, has been attacked as a declaration of free trade. And yet it is no such thing. The platform, the bill and the message do not either advocate or aim at free trade. They only strike at an excessive tariff, which piles up a surplus in the national treasury at the expense of the consumer and to the detriment of the country. And the measure before Congress which embodies the views of the majority of Democrats is in itself a refutation of the charge of "free trade," so freely made and so industriously circulated by the protectionists. It does not destroy but only modifies the tariff. It cuts down the duty on certain articles and places a few on the free list, but in its whole scope and purpose sustains the tariff principle, but gives as its legitimate object the raising of revenue without increasing the surplus.

Why not let the facts go to the country and then, if possible, show the fallacy of the arguments and the instability of the position assumed by the revenue reformers, instead of falsely accusing them of taking a stand for free trade?

The Protectionists held a national convention not long ago, when they declared their views on the tariff question, and the protectionists have denounced them equally with the Democrats as advocates of free trade. Here is the resolution which was introduced at Indianapolis:

"That an adequate public revenue being necessary, it may properly be

raised by import duties, and by an equitable assessment upon the property and the legitimate business of the country; but import duties should be so reduced that no surplus shall be accumulated in the treasury, and that the burdens of taxation shall be removed from foods, clothing and other comforts and necessities of life."

Who can fairly construe this as a free trade declaration? It distinctly pronounces in favor of a modified tariff, but for revenue purposes and "the legitimate business of the country." This is the policy of the Administration. There are but few Democrats who now contend for free trade, pure and simple. That is considered by the majority of both parties as impracticable in the present condition of national and international affairs. Whoever pretends that the question before the country is that of free trade versus protection, raises a false issue. The dispute is really as to whether the tariff shall be for protecting certain industries or for raising revenue sufficient only for the purposes of government.

Members of both parties are divided as to what articles shall be placed on the free list and what shall be the reductions on others. But neither clamors for free trade, and the protectionists, in fairness, ought not to pretend that their opponents do this. They should bring forth their strong reasons to sustain their position that it is one of the functions of the government to protect manufacturing and other interests by imposing a duty upon similar foreign products, as against the democratic idea, that the government has no right to do this but that the tariff should be simply for revenue purposes, and that such protection as is thus afforded to home products should be incidental and not the special object of legislation. This would be honest, fair and square, and either party could stand on its own principles, leaving the public to decide, with a proper understanding of the controversy.

This would be honorable warfare. Slander, vituperation, abuse, are undignified, low-bred and vulgar. Misrepresentation is equally to be despised. The proper method in polemics is for either party to state the position of the other, at least as strongly as he would put it himself, and then proceed to demolish or overcome it with that intelligence which vanquishes error as light drives darkness from the earth. Let us have a campaign of principle, of honor and of decency.

TWO KINDS OF LIBEL.

Two cases of libel, recently decided in Minnesota, afford illustrations of the essential difference between malicious defamation of character and unintentional misrepresentation. Both are injurious, but the former is criminal while the latter only raises a civil question of actual damage to the party aggrieved.

In the first case a jury rendered a verdict for \$1,000 against the present Warden of the State prison, for charging against the former Warden improper conduct towards female convicts. Investigation showed the accusation to be groundless and to have been repeated from malicious statements made by convicts, which were very damaging to the ex-Warden. The verdict exonerates the libelled gentleman and affords a lesson to his libeller and others who spread slander and assail personal character.

In the other case the result was in favor of the defendant—the St. Paul Pioneer Press, which published an article reflecting upon Dexter A. Allen, but, discovering its error—one of mistaken identity—retracted the charge and made apology on the day after the libel. The court instructed the jury to find for the defendant. This was under a new libel law of the State, which provides that when a paper makes a mistake and publishes a correction and retraction within three days, the offended party cannot recover anything but "actual damages," that is, "injury to business, trade or occupation."

This it appears to us is sensible law. The best of men make mistakes and the same rule applies to public journals. And when ample apology is offered and, so far as possible, amends are made, the element of malice which is the gravamen of the offense is palpably absent, and therefore the act is not truly criminal. And yet an individual may be grievously wronged and seriously injured by the unintentional libel, and should therefore be able to recover damages proportionate to the injury.

There is a wide distinction between the malicious intent to blacken character which is observable in some newspapers, and any error into which a reporter or an editor may fall in the hurry of dealing out news to daily readers. And this ought always to be taken into account when courts and juries deal with cases of libel. The journals of America have been permitted to cut a very wide swath in the field of personal reputation, and it has often seemed that the only remedy a man had who was assailed in the public prints, was that of personal retaliation and private vengeance.

That, of course, is all wrong. Every citizen should be protected by the law as much from assaults on his reputation as from violence to his body. In fact the former are the more grievous

to be borne. And the editor has so much the advantage over the unfortunate victim of his libellous attacks, that an attempt at reply is like the effort of a fettered captive to resist the tortures inflicted upon him by an exulting savage. The law should make it dangerous for persistent defamers to indulge their predilections, and there ought to be a general effort to raise the tone of modern journalism, so that private character should no longer be considered a legitimate object of public assault.

Included in the law of libel should be the deliberate falsification of a person's public or private utterances. What can be more provoking to a speaker on any subject, social, political or religious, than to see in print remarks and sentiments attributed to him which are the very opposite of his views and enunciations? Or to a prominent man in any profession to see in a newspaper a report of an "interview" with him that never occurred, with ideas advanced as his, that he never entertained? And yet these are common marks of what some publishers of papers have the impudence to call "enterprise." They are libels in the full sense of the term and ought to be punishable and severely punished by the law. Private vengeance is an evil, and in a civilized country there ought to be no excuse left for its exercise.

Everybody ought to be careful about repeating stories they hear concerning individual conduct. Talebearers are a public nuisance. They should be frowned down and tabooed out of decent society. The bearer of good tidings ought to be welcomed in preference to the retailer of scandal. And all people who make any pretensions to advancement above barbarism should help to purify the social atmosphere by their utter discountenance of everything libellous.

SMALL WORK FOR A GREAT BODY.

The delay in the action of the United States Senate on the nomination of Melville W. Fuller for Chief Justice does not look well on the part of the Republicans. It shows that they are not very eager to put in practice that civil service reform about which they talk so glibly to "gentlemen on the other side" of the chamber. They have had such a monopoly of the offices for a quarter of a century that they seem to grudge any important position to their political adversaries.

The opposition to Lamar was sufficiently ungenerous, but the course taken in regard to Fuller threatens to be conducted in still worse taste. Senator Edmunds has added nothing to his public reputation by his opposition to Mr. Fuller, and in the recent correspondence between them the Senator does not shine by contrast with the Judge.

It appears that the Judiciary Committee, of which Mr. Edmunds is Chairman, received a communication from some enemy of Mr. Fuller's, alleging that he had been connected with a scheme to make the West Chicago Park Board pay \$103,000 for a piece of land for which the owner was willing to take \$30,000, and that either \$5,000 or \$10,000 of this went into the hands of either Mr. Fuller or one of the clerks in his office, as a fee. Also that as Jury Commissioner he managed to so arrange matters in a case against the South Park Commissioners as to have the jury so influenced that they returned an improper verdict. And further, that when the record in another case was being made up for the Circuit Court, he endeavored to have the fact suppressed that he was acting as Jury Commissioner at the time the jury was drawn.

All this was set forth in a letter from Senator Edmunds to Judge Fuller, with the remark that any statement he should think proper to make would be gladly received by the committee. But no name was given as authority for these vague accusations, and Mr. Edmunds declined to give any, as the Senate rules did not permit the disclosure. Mr. Fuller very briefly and very properly declined to notice "anonymous aspersions," and informed the Senator that publication would dispose of these fabrications without subjecting him to the humility of having to notice them. He thereupon gave the correspondence to the press.

It has since been shown that the property spoken of in the first charge was not purchased by the Park Board, but was acquired by condemnation under the law of eminent domain, that the case was fully tested before a jury, that Mr. Fuller did not appear in connection with the matter and had nothing to do with the transaction. This is testified to by the Judge who tried the case, and who, though a political opponent of Mr. Fuller, declares that in his judgment "no more fit person could have been named by the President for the position of Chief Justice." Other gentlemen, thoroughly familiar with the whole matter, have corroborated the statement of the Judge, while Mr. Fuller himself has maintained a dignified silence, and the other charges have been refuted as emphatically and completely as the first.

It is rather surprising that so dignified a person as the iceburg from Vermont, should expect Judge Fuller to defend himself from anonymous and unsupported accusations before a body

that cannot be called a court. And if the Senate has a rule forbidding the disclosure of the names of persons preferring charges against prominent persons, that body can scarcely expect those who are thus accused to pay much respect to such peculiar investigations. The constitutional provision that accused persons shall have the right to be confronted with the witnesses against them, ought to prevail in an investigation as to the character of a nominee for office, as much as in a criminal prosecution.

Such exhibitions of partisanship as are made before the country by some of its highest officials is very humiliating. It is admitted, almost universally, that the choice of the President for Chief Justice is a good one, and nobody pretends that anything stands in the way of his confirmation by a Republican Senate but the fact that he is a Democrat. Insinuations as to the danger of Democratic interpretations of the law are simply absurd, for they form the chief part of the jurisprudence of the country. And it will be found, on investigation, that for several years past the Supreme Court of the United States, though so largely composed of Republicans, has tended in its decisions towards sound Democratic doctrine and the principles enunciated by the eminent Democratic jurists who formerly composed the majority of the court.

If the approaching presidential election shall continue in power the present Administration, it is quite probable that in a few years the political complexion of the Supreme Court will be changed, and that a majority of Democrats will again sit upon the bench. This is one of the contingencies of the campaign, and one that enters largely into the calculations of the most thoughtful men of either party. But whatever may be the anticipations or forebodings on this question, any factious opposition to the confirmation of Mr. Fuller appears to be very ungracious if not disgraceful. And should the vote of the Senate be postponed until next session, it is probable that a Republican will be elected to the Presidency and the appointment can be pushed off until a Republican Chief Justice can be nominated, the party engaged in such a reprehensible scheme will give much political capital to its opponents to use during the struggle for power. The wisest and most respectable thing for the Senate to do will be to confirm Mr. Fuller, without any further exhibitions of party pettiness and any more attempts to cast unjust reflections upon a character that appears to be irreproachable.

A BRAVE STRUGGLE FOR LIFE.

The indomitable courage and fortitude of General Sheridan have enabled him to withstand the ravages of disease, no less than to resist the forces which waged a war against the Union and thus threatened the life of the nation. His gallant stand against the assaults of the grim monster while prostrate on a sick bed, have endeared him to the people as much as his bravery upon the field of battle. He has shown what can be done by a strong will and a stout heart, and his calm and heroic conduct is worthy of the emulation of all who are attacked by disease or misfortune. Many a man who has succumbed to severe pain and a prestrating malady, might have conquered and lived if endowed with the mental energy and strong determination of the great little soldier. The name of Phil Sheridan will be a synonym for courage, endurance and hope.

A DEEP WATER PORT WANTED.

A CONVENTION of delegates from the trade organizations, municipalities and people interested in the establishment of a deep water port on the Coast of Texas, has been called to meet at Fort Worth, Texas, July 10th, 1888, for the purpose of memorializing Representatives in Congress, and devising means for the accomplishment of this object. Each board of trade, municipality or legislative district, in all that region lying west of the Mississippi and south of this city, is invited to send a delegate to the convention. The move is an important one, and if it shall succeed, the commerce of the region named will be greatly benefitted.

SWEET CLOVER—DELEGATE ELECTION.

HUNTINGTON, Emery Co., Utah.
June 15, 1888.

Editor Deseret News:

Will you please answer through your valuable paper the following questions:

1st. What good can white or California clover be put to? (I mean that kind that grows along the State Road, and has almost ruined a great many fields in that locality).

2d. Do you think it would be profitable to plant for feed or for any other purpose in localities where it does not exist?

3d. Will stock eat it under any circumstances except starvation?

4th. Is the November election for