

there is a question of dollars and cents associated. It has been intimated that some method must be devised to reward certain persons who have exerted themselves in the role of "active politicians" in relation to the recent Ogden election. As the funds are not forthcoming, it is hinted that employment must be found if not the ready cash, it being easy for the latter to become the result of the former.

If this be so, the appearance of the case becomes speedily no better. From any standpoint it is, in our opinion, a shameful piece of business, and we apprehend that it will reflect no credit upon those who operate it or attempt to defend it.

Since the foregoing was written we have learned of the attempt of the Ogden City Corporation, through its Liberal Mayor and Council, to take away from the Ladies' Relief Society its ground and buildings, consisting of a meeting hall and granary. Mention is made of the matter in our local columns. This would indicate that spoliation upon a wholesale principle is contemplated.

The officers and members of the Relief Society are also members of the Church of Jesus Christ of Latter-day Saints. In their association capacity they spend their time freely, without compensation further than the reward of a good conscience, in relieving distress. Their operations are not necessarily confined to their co-religionists. They attend upon the sick, comfort the afflicted, visit the poor and needy, substantially supplying their wants. The character of the society is strictly and purely benevolent and charitable. Who ever defrauds it, or compels it to enter, for defensive purposes, into expensive litigation, necessarily injures the cause of the poor and distressed, depriving them of assistance that would otherwise reach them.

Surely a political party posing as an agency with a mission to improve the condition of Utah is getting down to the lowest form of human meanness when it descends to work of that character. There is no specious plea, as we look at it, that can, in the least degree, mitigate such conduct.

Many men who profess to pass their lives in the pursuit of virtue are apt to take care to keep so far behind that there is no danger whatever of their overtaking her.

TO BE TESTED.

THOSE who have kept the run of criminal proceedings in the courts under the Edmunds-Tucker law are aware that there have been a large number of convictions of individuals for unlawful cohabitation and adultery. The same persons have been convicted of both offenses.

We have held from the time the Edmunds-Tucker statute was enacted that the charge of adultery could not properly lie in unlawful cohabitation cases. The latter charge covers the entire ground. To convict an individual of the two offenses is, in our view, in contravention of the principle that no person shall be placed twice in jeopardy for the same transgression. Furthermore, the Constitution provides that cruel and unusual punishments shall not be inflicted; and any punitive system, by means of which a convict has endured one imposition of penalty, can be made to undergo another by simply changing the name of the offense is both cruel and unusual. Not even in the domineering and tyrannical reign of such men as Jeffreys and Marlborough was such a thing thought of, much less attempted. We very much question if even the laws of Draco, by any process of construction, could be made to cover such a proceeding. It is forbidden by common law as well as by common Christianity.

At the time the law was on its passage the point was raised in opposition to it that it was legislation against a class, and therefore one-sided. This led to the introduction of the provision for the punishment of the crime of adultery, which has no connection with the plural marriage relationship. It was intended to apply to all classes of the people, that the statute might not be open to the objection of being entirely directed against one class. Sexual association is an element of unlawful cohabitation, although it has been declared by the courts here not to be an essential one. It is, however, admitted to be an element of that offense. This being the case, when a man is convicted of unlawful cohabitation it necessarily covers that ground. If in addition to that conviction, he is placed in jeopardy upon a charge of adultery, there is, as previously stated, a plain infringement of a universal principle of law.

We are glad that this matter is to be, at the earliest practicable date, tested on *habeas corpus* in the Su-

preme Court of the United States. When it reaches that tribunal we cannot but feel confident that it will share the same fate as the segregation process, of whose genius it partakes. But whether this anticipation be correct or not, it is eminently proper that a final decision should be arrived at, as the subject will then be placed beyond question so far as judicial operation is concerned.

There is no doubt regarding the view that has been taken on this question by the late Administration. It was on the ground of their cases having been covered by the charge of unlawful cohabitation that a number of men who were sent to the Sioux Falls (Dakota) penitentiary for long terms on a conviction of adultery were pardoned by Mr. Cleveland. The case selected for a test is that of a man named Neilsen, recently convicted in the First District Court at Provo, on both charges. The proceedings will be looked to with interest.

ROMANCES OF THE WIRE.

THE public should beware of sensational dispatches dated from Cheyenne, Wyoming. There was one in the DESERET NEWS of March 11 in reference to the massacre of five French tourists in Yellowstone Park which, though carrying details that bear the semblance of truth, is probably founded on fiction. A telegram from St. Paul refers to this dispatch, as a sample of others from the same source, and declares it to be what is in telegraphic parlance vulgarly denominated a "fake."

The scenes of these romances of the wire are all laid in Wyoming, and the people of that Territory should take steps to put a stop to the mill which is grinding out these grists of falsehood. They are damaging the reputation of Wyoming. A place in which murders and robberies and riots are reported to be common diversions is not likely to prove very attractive either to tourists or people seeking a permanent home.

A short time ago a dispatch from the same source appeared in the eastern papers describing a fight in a railroad car, alleged to have been occasioned by a row over some female converts who were being conveyed to Utah in a company of Scandinavian emigrants. Two imaginary "Mormon" Elders were made to be the villains of the story, and an irate Danish brother the