

THE HERALD.

SALT LAKE CITY, UTAH.
TUESDAY, June 4, 1889.
THE DAILY HERALD is published every morning, Monday excepted, at THE HERALD BLOCK, corner West Temple and Fifth Streets, Salt Lake City, by THE HERALD COMPANY.

JUDGE SANDFORD AND THE PRESIDENT.

Two days ago there came over the wires the announcement that CHARLES S. ZANE had been appointed chief justice of the supreme court of Utah. When the people read the news in their morning paper they were all astonished and a great majority of them were electrified. It was known that a determined effort had been made in behalf of ZANE, but there were few who believed it would succeed.

Under the circumstances there is little cause for wonder that the people were astonished when they read of the change. They have not yet gotten over their surprise, for nothing has come out which in any manner explains the matter or throws light upon it. The wires brought nothing beyond the bare announcement of ZANE's appointment, and Chief Justice SANDFORD, with characteristic reticence and conservatism, declined to talk with the reporters. It is due to the public that all should know the facts, and THE HERALD, this morning, gives the first installment of information, in the form of the correspondence which has passed between the authorities at Washington and the late chief justice. This correspondence on the part of the President and his attorney-general is remarkable, to say the least, and to the minds of lawyers and judges, will be astonishing. It will not be at all reassuring to intelligent persons that the men who stand at the head of the nation can assume the position occupied by HARRISON and MILLER in this case. To make the record complete, the correspondence is published in its order. The first intimation which Judge SANDFORD received that his course was not approved at Washington was the following brief communication:

DEPARTMENT OF JUSTICE, WASHINGTON, May 10, 1889.
Hon. Elliot Sandford, Salt Lake City, Utah:
SIR:—I am directed by the President to advise you that in his opinion the public interest will be subserved by a change in the office of chief justice of Utah, and that he is to be pleased to be pleased to see a new restoration of such chief justice.

As many of Judge SANDFORD's friends are aware, the gentleman contemplated resigning early last spring, but as a scandalous fight against him was being waged by the supporters of Judge FINE, Judge SANDFORD was prevailed upon to remain, the argument employed being that his retirement would be a confession of inability to stand up under the fire of those who had nothing against him beyond the bare fact that he was occupying a place wanted by ZANE. The receipt of the above naturally placed Judge SANDFORD on his metal, for there was an intimation in it that the vague and indefinite rumors which had been circulated, to the effect that charges had been or would be preferred against the judge, had assumed shape in the formulation of accusations which had influenced the President. The judge, therefore, asked information in the following letter, at the same time, as a true Democrat, expressing his willingness to retire if his office were wanted for political reasons:

SEPREME COURT OF UTAH TERRITORY, SALT LAKE CITY, May 17, 1889.
Hon. W. H. H. Miller, Attorney-General U. S. A.:
SIR:—I am in receipt of your note of the 14th inst., in which you state, in substance, that in the opinion of the President, the public interest will be subserved by a change in the office of chief justice of Utah, and that he would be pleased to receive my resignation of that office.

To this frank, firm and manly letter comes the following, which we respectfully suggest is the most remarkable paper which was ever penned by an attorney-general, or sent out from the department of justice.

EXECUTIVE MESSIOG.

WASHINGTON, D. C., May 24, 1889.
SIR:—You are hereby removed from the office of chief justice of the supreme court of the territory of Utah, to take effect upon the appointment and qualification of your successor.

But the startling feature of this business is that President HARRISON has a "policy" which he wants to be pursued with reference to Utah affairs, and the policy must be followed by the judiciary. Heretofore, the judge on the bench was presumed and generally admitted to be above and beyond all dictation and coercion from anybody and everybody. The only policy which a judge was supposed to have as it read. The pursuit of any other policy should be followed by the prompt impeachment of the judge, and the outlining or suggestion of another policy, than that to a judge by the President of the United States, should call for the impeachment of the latter. If the judiciary can be controlled in its "policy" by the President or the attorney-general, if it can be approached by either of those officers, if it can be forced to recognize either of those as having any right to influence, much less control, decisions and interpretations, than the judiciary is no longer independent, and is not a dangerous institution, but a thing to be despised.

Whether or not President HARRISON has given Judge ZANE instructions as to his "policy," it is manifest that no such instructions were ever received by Chief Justice SANDFORD, and it is equally clear that he would have brooked no such impudent and outrageous interference. The following letter, which closes the correspondence, has the right kind of ring to it. The late chief justice seems as clever with his pen as he is careful of the proprieties. Whether or not it was intended, there is a sharp sting in his final letter, which will be very apt to penetrate deeply the President and his subsequent attorney-general, and perhaps bring them to a realizing sense of the offense they have committed, through their rank stupidity or their innate wickedness. Here is Judge SANDFORD's letter:

SEPREME COURT OF UTAH TERRITORY, SALT LAKE CITY, UTAH, June 1, 1889.
Hon. W. H. H. Miller, Attorney-General, Washington, D. C.:
SIR:—Your letter of the 23rd ult., in which you state that the President has become satisfied that the administration of the office I hold, was not in harmony with the policy he deemed proper to be pursued with reference to Utah affairs, and that he is to be pleased to be pleased to see a new restoration of such chief justice, has been received.

It is said that THORNDIKE TILTON is about to write a full history of the celebrated nastiness known as the MILLER-TILTON scandal. If TILTON believed what he said fifteen years ago, there should have been an equally different ending to that affair than the one reached. As TILTON failed to rise to the dignity of an injured husband at the right moment, he should not now attempt to revive a scandal which the public has been more or less successfully trying to forget.

COACHES VS. RAILROADS.

There is an interesting contest going on in England, and one which should be suggestive to people in the thickly populated districts of this country. When the British postal department inaugurated the parcel post a few years ago, failure was predicted, but the business rapidly grew and steadily prospered. The reports show that last year more than thirty million parcels were carried at an average cost to the sender of about five pence. The business was yielding a substantial profit, but the railroad companies continued and laid claim to the greater share of the postage. Government seems equal to the occasion, and now proposes a return to the abandoned stage coaches. Already one line has been put on between London and Brighton; the distance being fifty-two miles. Many trains run between the two places every day, and the schedule time is only seventy minutes; yet the stage coaches are billed high with mail parcels, and are really making money in the competition which seem so uneven. It is also said that the railway companies are so in different in their co-operation with the postal authorities, that the public is actually better served by the stages than by the railroads. The experiment is working so successfully that the government is preparing to establish coach lines on several runs which are less than seventy miles in length, it having been demonstrated that the competition can be successfully carried on without injury to the public. The coaches are permitted to carry passengers when these will not delay the delivery of parcels, and many people, who have the time take the stages in preference to the trains.

TOO CONFIDENT.

The Democratic newspapers about the country are assuming that because the Democrats elected a majority of the delegates to the Montana constitutional convention of the new state will necessarily be controlled by that party. It is to be hoped that the Montana Democrats will not make this same assumption, and in their confidence neglect their political work during the campaign. It is a big thing to control the convention, but it does not settle the situation which should give the winners in the preliminary battle extraordinary confidence. At the recent election not more than forty-five per cent of the vote of the territory was polled. It is claimed by Republicans that the stay-at-homes were largely members of their party, the Democrats getting out very nearly their full strength. This is mere bluff, as a study of the facts and the returns show. The campaign was equally earnest and vigorous on either side, neither party neglecting a point. While not half as many votes were cast in May as in the previous November, the falling off seems to have

THE TEACHER.

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General Debility.
A few weeks since, we began to give Ayer's Sarsaparilla. Her health has been benefited by the use of Ayer's Sarsaparilla with good effect. — Mrs. James H. Eastman, Stoneham, Mass.

Nervous Prostration, with lame back and headache, and have been benefited by the use of Ayer's Sarsaparilla. I am now 80 years of age, and am satisfied that my present health and prolonged life are due to the use of Ayer's Sarsaparilla. — Lucy Moffitt, Killingly, Conn.

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NOTICE OF SALE OF REAL ESTATE AT PRIVATE SALE. NOTICE IS HEREBY GIVEN THAT IN pursuance of an order of the probate court of Salt Lake county, Utah, made on the 27th day of May, 1889, in the matter of the estate of Charles W. Needham, a minor, the undersigned, the executor of said estate, will sell at private sale to the highest bidder for cash, and subject to contract, made by said probate court, on the 27th day of May, 1889, at 12 o'clock P. M., at the office of Arthur Brown, Esq., No. 515 3/4 Main street, Salt Lake City, all the right, title and interest and estate of said Charles W. Needham, a minor, in and to all those certain lots, pieces or parcels of land hereinafter being in the city and county of Salt Lake, territory of Utah, and bounded and described as follows, to-wit:

NOTE: I have never seen a bigger yet but what had a small and apparently brainless bod; but I can't see all the bigots, you know. Silence is like darkness, a good place to be hid. There is no revenge so complete as forgiveness. He that desires to be rich only to be charitable is not only a wise man, but a good one. Grate wells, in our journey thru life, is only extra baggage, and wants a heap of watching. The malice or the world ain't half so dangerous as its flatters. If I feel that I am right, all the knars in the country may snap at my heels. Trying to satisfy our desires with wealth is like trying to stop up a rat hole with sand; the rats will soon dig out some where else. A piece of satire, too be beneficial, should be so rendered that every man who reads or hears it shall say to himself: "That is just, because it hits every body but me." Skankle is as ketching as the smallest; and perhaps there is but one real preventive, and that is—be vaccinated with deaf and dumbness. Really wise men pay but little attention to misery; but one good misery will furnish a dozen phoos with viles and drink for a year and fat the whole or them besides. We are all or us too apt to judge or a sin by its size. We would pass a lead ten cent piece when we would shudder at a counterfeit ten cent bill. Children Cry for Pitcher's Castoria.

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NOTE: My daughter was greatly troubled by scrofula, and at one time it was feared she would lose her sight. Ayer's Sarsaparilla has completely restored her health, and her eyes are as well as ever, with not a trace of scrofula in her system. — G. King, Killingly, Conn.