

Issue may not strike everybody as just the thing for the present crisis; but surely every man who has the interest of the country at heart will say that there is to be such an issue it would be the proper thing to make it a popular loan, so that the creditors of the nation would be its own citizens instead of foreign capitalists.

### LET US ILLUMINATE!

The committee on Inauguration Day ceremonies have made a request that should be generally and cheerfully responded to throughout the State. It is that every citizen illuminate and decorate his home on January 6, in honor of the advent into Statehood. This would be a most fitting procedure, which would require no great outlay of money, while it would give to every city, town, village and hamlet an appearance of good cheer in accord with the transition from the comparative darkness of Territorial conditions to the full light of Statehood. We hope that every home in Utah will be decorated as richly as its occupant may be able to do in reason, and will also announce the rejoicing therein by the lamp in the window.

### CALLED AWAY.

The Christmas mail brought from Colonia Juarez, Mexico, news that will cause a feeling of sorrow in many hearts, and elicits deep sympathy for the bereaved. The tidings conveyed was of the death of two estimable women whose former home was in Utah. One was the wife of Elder George Teasdale, of the Council of Apostles. As suggested in the letter which appears in another part of the NEWS and which tells of her death, Sister Teasdale was widely known in connection with foreign missionary experience as well as at home. The reference in the letter to her stay at the Liverpool office of the British mission recalls a period in her career which is an intimation of her noble character and the esteem in which she was held by all associated with her. During the four years in that mission field every Elder in the mission and all of the great number of Saints with whom she associated had for her that affection which goes out to the pure and noble mother who unselfishly devoted her energies to the fulfillment of sacred duties. Although a young woman at that time—from 1886 to 1890—she was looked upon as an exemplary mother in Israel, and all had a feeling of tenderness for the kindness she displayed and her faithfulness in the Gospel cause. As it was with her there, so was it in other places and with other duties.

It is well said of Sister Teasdale that a good woman is gone from earth to continue her mission of love in the spirit world. The same may be said of Sister Whipple. It is an occasion of deep sorrow to have to part with loved ones in the very prime of life, and the NEWS joins with hosts of others in extending condolence to Brother Teasdale and others who are bereaved. We realize, also,

that with the faithful Saints there is great consolation in the knowledge that the separation will not be for long, but that in His infinite justice and mercy God will restore husband and wife, parent and child, to each other in the immortal life which shall never more know the sorrow of such a parting, when the grave is overcome and death is swallowed up in the victory of the resurrection of the just.

### ADMINISTERING THE OATH.

There is a general sentiment that it would be a very proper thing for the retiring Chief Justice of the Supreme court of the Territory, Judge Merritt, to administer the oath to Governor-elect Wells on Inauguration Day, thus connecting the old and the new regimes with the link of a formal ceremony. Some question was raised as to how this could be done; and also what would be the position of the State Supreme court in the premises. As to the latter feature, it is suggested as appropriate that the judges should allow the Governor to enter as the first State officer. Following is an opinion of eminent counsel upon the legal proposition, which seems to accord with the views of the bar in general:

SALT LAKE CITY, Dec. 27th, 1895.

Hon. O. W. Powers:

Dear Sir—Your favor of the 26th inst., in which you request our opinion respecting the following question, viz., "Will Chief Justice Merritt have authority to administer the oath of office to Governor-elect Wells, after the President's proclamation shall issue?" has been received and considered.

In reply thereto we would say that in our opinion, Chief Justice Merritt would have authority to administer such oath, provided the judges-elect of the State Supreme court have not in the meantime qualified by taking the oath of office prescribed in the State Constitution; otherwise not.

Very respectfully,  
DICKSON, ELLIS & ELLIS.

### CITY OFFICERS HOLDING OVER.

The recorder of Moroni City sends the following inquiry under date of December 23:

A question has arisen in my mind as to whether the term of municipal officers now in office expires by limitation, or do they hold over until the first State Legislature shall make provision for the election of new officers? Article 24, sections 10, 15 and 16, of the State Constitution seems to infer that the present officers hold over until such provision is made.

Please answer, and oblige many inquiring minds.

The sections of the Constitution referred to provide that all officers, civil and military, "now holding their offices and appointments in this Territory by authority of law" shall continue to do so until superseded under the Constitution; that the Legislature, at its first session, shall provide for the election of officers whose election is not provided for in the Constitution, and shall fix the time for the commencement and duration of their terms; and that the provisions of the

Constitution "shall be in force from the day on which the President of the United States shall issue his proclamation declaring the State of Utah admitted into the Union." Section 2 of the same article, which our correspondent seems to have overlooked, contains the provision that all laws of the Territory now in force, not repugnant to the Constitution, shall remain in effect until changed in due course.

Under the declaration of the Constitution the word "now," as it refers to office holders, cannot be applied on any date prior to that on which the President issues his admission proclamation, for the plain reason that the Constitution does not go into effect until that date. This principle was clearly set forth in the recent decision of the Supreme court upon the question as to whether or not women had a right to vote, and was not affected by any doubt which arose in some minds on the suffrage question through the language of the enabling act. If, then, the municipal officers referred to are in regular possession of their offices on the date named, there is basis for a claim to remain in possession until ousted by operation of State law or by the laws of the Territory continued in force by section 2 referred to. As it is definitely settled that the President's proclamation will not issue till January 4, 1896, then municipal officers whose terms expire on January 1 retire on that date in regular order.

As to the terms of municipal elective officers, the law now in force on the subject, and continued in operation by the Constitution, provides that on the Tuesday next after the first Monday in November, 1893, and biennially thereafter, there shall be held the elections for such officers, who will assume the duties of their position on the first day of January next succeeding their election, and continue in office two years. As these municipal elections were held in 1895, the officers-elect will take up official duties January 1, 1896, and all officers whose terms expire on that date will retire. There is no peg in the Constitution for them to hold over on.

As to the hold-over talk which has been indulged in, we surmise there has never been any thought by those well informed that such retention of office was authorized by the Constitution or laws. It has been mere "bluffing," but has had the effect of deceiving some people who had not the opportunity of giving careful study to the subject. If the President's proclamation had been issued, say December 15, every municipal officer elected at the November general election would have been entitled to his office on the first of January, 1896, by virtue of laws in effect under the Constitution. Section 16 referred to does not prolong any office-holder's term. That section directs the Legislature, at its "first" session, to do certain things. Suppose the Legislature fails, must it be said that a subsequent Legislature cannot do the work without an amendment to the Constitution? Suppose the Legislature acts, can it be said that no subsequent Legislature can create a new State office or change the term of one previously created by law, except through Constitutional amendment? Certainly not; yet that section says that at the first