

made part of the territorial government. It would be contrary to the tenets of the Church to make it so. True, the Latter-day Saints believe that some day "the kingdoms of this world will become the Kingdom of God" and that "His Christ" will rule "whose right it is to reign." But until then they are commanded by divine revelation to be "subject to the powers that be," to obey the laws of the land, and to recognize the laws given to them by the Lord as simply "the laws of the Church."

But the *Denver News* proposes a practical solution of the present difficulty which, though imaginary, has all the effect in many minds of an actual obstacle. It is the adoption of a Constitutional Amendment as follows:

"No State shall pass any law respecting an establishment of religion, or prohibiting the free exercise thereof, or use its property or credit, or any money raised by taxation, or authorize either to be used for the purpose of founding, maintaining or aiding, by appropriation, payment for services, expenses, or otherwise, any church, religious denomination, or religious society, or any institution, society or undertaking which is in whole or in part under sectarian or ecclesiastical control."

Of this it does not claim to be the author. It is a measure that was mooted some time ago and was introduced by Mr. Springer in the House and Mr. Platt in the Senate. A similar amendment was once proposed by President Grant and introduced by Mr. Blaine. It passed the House but was blocked in the Senate. The idea has been favored by both the great national parties. The *News* argues that it would not only "forever preclude the injection of organized ecclesiastical influence in the governmental affairs of this republic" but also "set at rest the present agitation over the American public school system" and further, it would effectually "dispose of the Mormon bugbear."

We see no objection whatever to the adoption of this Amendment except that reluctance which is properly felt at "tinkering the Constitution." The First Amendment, in reference to the free exercise of religion, only prohibits Congress directly from interference. It says nothing about the power of the respective States in this particular. And whatever may be inferred from it there can be no doubt that its inhibition is, in terms, against Congress alone. As to this every State should be as much debarred as is the General Government. Religion should be free from State control while it keeps within its proper sphere, and the public funds ought not to be devoted to religious uses.

To this proposition the "Mormons" would subscribe as heartily and sincerely as any religious body in the republic, for it is in accord with their true sentiments. And whether it becomes incorporated in the supreme law of the land or not, they would be willing to maintain it and make it binding in letter and spirit, if permitted to enjoy the rights and liberties of a sovereign State. The only remaining objection to Utah's freedom is rightly named by the *Denver News*, a "bugbear."

COURTS SHOULD MAINTAIN THEIR DIGNITY.

THE encounter between two members of the Salt Lake bar on Saturday evening, suggests some remarks on the license allowed to attorneys in court. It was wrong, of course, to resent by violence the insult received by the gentleman who lost his temper, but there are many respectable people who do not hesitate to say that he was justified under the circumstances. The attorney who was the author of the wanton insult certainly deserved the blow he received and the fine inflicted for contempt of court. And it was proper that both the belligerents should be censured. But in our opinion the court ought to have interfered in time and in a more peremptory manner to prevent the scene that disturbed its serenity.

It is shameful that lawyers are allowed to abuse each other as they often do in the presence of judges and the public. The rage they display, the language they use, the exaggerations and misrepresentations in which they indulge to gain a point, are positively disgraceful, and on the street or in a barroom would provoke hostilities and lead to bloodshed. Why, then, should they be permitted in the presence of "the majesty of the law?"

Not only do attorneys berate each other in this insulting way, but they often abuse witnesses, who are subjected to the pangs of public legal vivisection. Questions are propounded sometimes with a fiendish desire to perplex, annoy and enrage a witness, and the court blandly and calmly looks on without a word of rebuke for the legal ruffian who takes advantage of its protection.

So with a defendant. Not content with coloring and construing the evidence against him until it is far stronger and blacker than facts would justify, the attorney seeking his conviction will proceed to hurl at him epithets of the vilest kind, dive into the domain of motive and intent and conscience, and abuse the unfortunate victim with a ferocity and malignancy that are truly diabolical. The poor culprit has to take it all in silence and has not a chance to defend himself against these assaults, which are often as cowardly and savage as the tortures inflicted by an Indian upon a bound and helpless prisoner placed entirely at his mercy.

We hold that courts ought to preserve their own dignity by drawing a line over which abusive attorneys shall not pass without punishment. Witnesses, defendants and opposing attorneys should be protected from insult and abuse. There is too much license in American courts. Conduct that would be rebuked and suppressed even in a police court in some civilized countries, is allowed to go unchecked in many of the District and Superior courts of the United States. This brings a stigma upon them which lessens the respect that should be entertained for them by the public.

Our idea of the dignity of such courts is that it ought to be maintained, if necessary, by stringent rules as to the conduct of members of the bar, and that when contempt for the court is shown by assaults such as we have described, it ought to be promptly con-

demned and the practice be stamped out. If there is one place more than another from which passion, violence and invective should be banished it is a court of justice, where courtesy and dignity should prevail, and fair, if strong, argument should be the weapons of legal antagonists.

The scene of Saturday evening was an object lesson that we hope will not be without good effects upon courts and attorneys and all who are associated with judicial affairs.

DEATH OF THOMAS BNTLER.

Elder Thomas Butler, of Richfield, Sevier county, died at the residence of Brother William Neil, on Center street, this city, at ten minutes past 9 o'clock this morning, after a severe and protracted illness. His demise was directly due to blood poisoning superinduced by malarial fever.

Elder Butler returned from an eighteen months' mission to Virginia on the first Monday of the present month on account of sickness contracted while in the missionary field. The greater portion of the upper part of his body was covered with carbuncles and fever sores and for some reason they would not heal although given the best of attention. At times his suffering was intense, but the terrible affliction was borne with a fortitude characteristic of the man. A few days ago blood poisoning set in, and, as stated, with fatal results. A brother and sister who were in this city attending conference at the time Elder Butler returned home remained constantly at his bedside until the last.

The deceased was born at North Pigeon, Iowa, in 1852. His parents, J. L. and Caroline F. Butler, came to Utah the year following and settled in Spanish Fork, where his father was soon afterwards made Bishop, and who died at that place in 1869.

Elder Butler was well and widely known throughout southern Utah. He also filled three missions to the Southern States and labored with great zeal and faithfulness on each occasion. He was forty years of age and unmarried.

SACRAMENTO, Cal., April 20.—A slight earthquake was felt here this morning. No damage.

JACKSONVILLE, Fla., April 19.—Four negroes were hanged at Inverness last night for the murder of Stephenson and Payne. A mob surrounded the jail, overpowered the sheriff and hanged the men to trees near by. They confessed and implicated two others who will no doubt be soon captured. The same fate awaits them.

WASHINGTON, April 19.—In reply to the complaint of Commissioner Raum, that great work is imposed upon the pension office by congressional correspondence and congressional call slips, Secretary Noble orders that the claimant and his attorneys shall be advised of the status of their claims direct, and that claimants on congressional call slips shall receive the same treatment.