

country town, with a population of scarcely 1,200, and an imperfect tradition of past splendor.

A further account is given of the rise and fall of towns in Kansas, Nebraska, Colorado, and other western states and territories, the destructive feature usually being attributed to the railways, which were operated to build up new towns on their own lands and for their interests. There is one notable feature associated with the *Mail and Express* article, on which it is evident a goodly degree of care has been bestowed; that is that for Utah there is not recorded an instance of where a town has grown into prominence and then has been abandoned by its inhabitants in the complete manner which marks the annals of other western states.

THE JUDICIARY ARTICLE.

In the discussion thus far, by the Bar Association, of the proposed judiciary article for the State Constitution, leading members of the bar have shown commendable consideration for the rights of the people generally, relative to the important subjects dealt with. For instance, upon a proposition that the supreme court judges should be nominated by lawyers who had been admitted to the bar of the supreme court, it was suggested that such a plan would be regarded by the people as "a trick of the lawyers." The point was well taken, as that is precisely the view the people would hold; i. e., notwithstanding the declaration made in support of the plan, that "lawyers could choose judges more wisely than the people could," the public outside of the legal fraternity realize that the national Constitution is based upon the principle that the people wield supreme power, whether or not they do it less wisely than lawyers would. The association, however, showed its wisdom by voting the proposition down.

There is another provision in the article which should receive some consideration from the same standpoint—that it may be viewed as "a trick of the lawyers," and if inserted may endanger the Constitution when it comes before the people. That is with reference to the salary of judges of the supreme and district courts. Already the members of the bar have agreed to recommend at least three supreme court judges and not less than five judicial districts, each with one to three judges. This makes a possible twenty judges. By section 13 of the proposed article, not yet passed upon by the association, it is provided that the judges of the supreme and district courts shall receive "a compensation for their services of not less than five thousand (\$5,000) dollars per annum." Taking the minimum figure, that would be eight judges at \$5,000, or \$40,000 a year for judges' salaries alone—one-fifth of the present Territorial revenue. This is the lowest possible figure allowed; it might be increased many times.

Now the NEWS does not believe in paltry compensation to judicial officers. To secure good and able men the salary must be reasonable for the quality and amount of work performed. But we do

hold that the insertion of such a clause in the Constitution would be injudicious, and could be very properly resisted by the people as "a trick of the lawyers." The objection is not to the amount of \$5,000—though such a clause would inhibit the employment of a district judge at \$400 a month, which would not be a low salary for the services which one or more of five judicial districts in Utah would require for some years to come, and might be regarded even by lawyers as a fairly good thing considering the rush now made by them after less remunerative judgeships—but to the principle of placing in the Constitution any restriction whatever of that nature. The "not less than \$5,000" is too suggestive of a salary grab. If the clause had said judges should not be paid more than a stated amount it might have been acceptable; but the "not less" form is a declaration that the judiciary at least shall be insured a constant feast at the public crib.

Why not leave the salary question wholly to the legislature, so far as minimum figures are concerned? We do not believe the lawyers are afraid to trust the people's representatives in the matter of paying for judgeships. If they are, the people will not feel to trust them. The question of salaries is a proper subject of legislation according to the varying conditions of the State; and such legislation should not be engrafted upon the Constitution, where it cannot be changed or modified without great difficulty. There is just as much reason to fix the minimum pay for jurors, witnesses, clerks, probate judges, or other officers whose salaries may be regulated by statute as there is for making a rule apply to district court judges. The chief argument in favor of the proposition for a \$5,000 minimum limit is to prevent the people, through their legislative representatives, reducing the figure when they consider that circumstances justify it. Certainly the people will look upon any effort of that kind to tie their hands as "a trick," and we anticipate that the able and patriotic members of the bar will see it

MORE ABOUT THE SLANDER.

The attack made from this city, through the *New York Times*, on President George Q. Cannon is still the absorbing topic of discussion. It is denounced in emphatic terms by men of all shades of political or religious belief, who have nothing but a feeling of utter contempt and loathing for the individual or individuals who formulated the document but are too base and cowardly to attach their signatures or to assume the responsibility for their crime against an honorable man, and a patriotic, independent community. Like the venomous reptile which strikes its unoffending and unsuspecting victim, the author seeks shelter from discovery in the slimy ooze which comports with his unstarred nature, finding companionship with others of his own ilk who silently acquiesce or secretly gloat over the vile deed.

In the last issue of the NEWS we made a statement showing how baseless and inexcusable were the insinuations against President Cannon with regard to business enterprises with

which he was connected, and how he was singled out from among his associates, the actions which in others were highly commendable being made to appear in him to be of an opposite character. The baseness of the *Times* writer in this regard might serve as an illustration to cover his article in its entirety, for every inference against the object of his attack is a gross falsehood. But we will refer to a few more items in a general way that people may see how utterly contemptible and unworthy is the source of the assault.

There is reference to certain alleged proceedings in Idaho regarding the test oath law. As to the suggestion which is rolled as a delicious morsel under the tongue of the *Times* slanderer, that members of the Church were urged to withdraw in order to vote, President George Q. Cannon is well known to have been emphatically and unalterably opposed to anything and everything of that kind. The insinuation to the contrary is not only wholly without foundation in fact, but is absolutely antagonistic to President Cannon's attitude and views.

Then comes the political phase of the subject, for in the opening sentences of the article is the confession that its object is political, notwithstanding the fact that its authors assert that President Cannon did not give any expression of his political views, but carefully held aloof; they could not even learn how he voted. It is stated that the revolution—the result of the November election in Utah—was as startling and as striking as was the election of Mayor Strong in New York City. Possibly so, to those who were defeated but; the attributing of such revolution to individual influence in Utah any more than it was in New York is inconsistent to an extreme degree. Who is charge with the responsibility of that "revolution" in New York? Who, in Colorado, Utah's close neighbor? Who, throughout the country, which was swept by the wave? Did George Q. Cannon do it all? As well and as truthfully may the whole be charged to him as can be the result in Utah, where the people also were affected by the general sentiment. The *Times* writer's assertion falls because of the very foolishness of his argument, except as squalls upon words to express a falsehood.

Of Utah's voters it is said, "The people were overwhelmingly Democratic;" and on this based is the accusation that Utah was "sold" to the Republican party. Yet the fact was known to all that at the previous election in this Territory, on the vote for legislators, the division between Republican and Democratic party lines gave a majority of about 400 for the Republicans, while the legislature was heavily Republican in both branches. The figures of an election in 1892 are quoted to prove the *Times* article's position; but in those figures is carefully eliminated the whole Liberal vote of the Territory, which, when divided on national party lines, went chiefly to the Republican party and cast the balance of power on that side; and this only by a plurality of less than 2,000 in a year of Republican tidal wave which the country has never known before.

Then because President Cannon, in