

EDITORIALS.

BAD GRAMMAR IN BILLS.

The popular branch of the Assembly has, a great many times during the present session, presented the spectacle of a legislative body engaged in correcting grammatical and other lingual errors in bills. So much valuable time has been spent in this way as to indicate a necessity for a committee on phraseology, whose duty it should be to revise the verbal construction of bills before they are printed and considered.

In the general municipal bill, for example, which, if passed and approved, will become an organic law for the government of many of the cities of the Territory, and perhaps a majority of its population, in an attempt to confer power upon city councils to prevent the "social evil," uses this language, which appears as subdivision 3 of section 1 of article IV:

"To suppress and prohibit bawdy and other disorderly houses, houses of ill-fame, or assignation, or houses kept by, maintained for, or resorted to, or used by one or more females for lewdness or prostitution within the limits of the city, and within three miles of the outer boundaries thereof, and to prohibit the resorting thereto for any of the purposes aforesaid; and also to suppress and prohibit gaming and gambling houses, lotteries and all fraudulent devices and practices, and all kinds of gaming, playing at dice, cards, or other games of chance, with or without betting; and prohibit the sale or exhibition of obscene or immoral publications, prints, pictures, or illustrations."

The above is penal legislation, and will be strictly construed by the courts. The latter will not supplant with sound sense the defects of ambiguities in the meaning, nor will they give to the words used any other than their actual and literal significance. The above provision gives to city councils the power to "prohibit" houses of the kinds mentioned. Of course the intention is to give power to prohibit the keeping of such houses; but that intention is not expressed by the literal significance of the language used. In view of the fact that costly litigation has been had in this Territory, upon similar provisions in city charters, and has resulted disastrously to the municipalities engaged therein, it will be a matter of great regret to have so serious a defect perpetuated in the organic law of many, perhaps all, of the cities in the Territory.

A few years ago Salt Lake City corporation undertook to deal with billiard tables under a charter provision which gave to city power to "license, tax and regulate" them. Litigation resulted and the courts held in effect that billiard tables, being inanimate things, were not the subjects of such legislation, though their keepers or owners might be. The language of the charter provision in litigation was precisely analogous to that above quoted, and the decision in that case would apply as a precedent in a test of the latter. A similar defect in the charter of Logan City resulted in the defeat of the corporation after its long and expensive contest with liquor dealers. Other similar cases, occurring in Utah, might be cited, showing that carelessness, and a disregard of grammar and the rules of lingual construction, displayed in the framing of the statutes, have cost litigants and tax payers large sums of money. Let the law be designed to govern the courts and the people be expressed in good English.

ANOTHER MARTYR.

ELDER JOHN B. JOHNSON departed this life at the Utah Penitentiary at an early hour this morning (March 5th). He was one of that numerous class of inmates of that institution who have been and are prisoners for conscience' sake. He was relegated to prison under conviction and sentence for unlawful cohabitation, having two families. His conscience would not allow him to make any agreement to obey the law in the future, because it amounted from his standpoint to an annulment of a contract with his plural wife entered into before the status which brought conviction against him had been made a legal offense. He felt that he could not consistently place the ban of shame upon his wife nor the brand of illegitimacy upon his children by any action upon his part, and he was sent to languish in a loathsome prison. He did not languish, however, but died.

Numbers of people have met their death in various indirect shapes, and some of them direct, through the efforts that have been made during the last three years and a half to crush a devoted community rather than to attempt to educate them into conformity with what is held to be the will of the nation, but of the hundreds that have been incarcerated, Elder Johnson, who had reached the advanced age of 64 years, is the first to succumb to the grip of death within the walls of the prison. This is a remarkable fact when the number that has been incarcerated during a com-

paratively brief time is considered. Many of them have been aged and feeble, and not a few belong to that class who have been accustomed to home comforts, the change to prison life being trying in the extreme. Those who have belonged to the poorer class have suffered perhaps most of all, if there has been any difference, not only feeling keenly the deprivation of liberty, but being mentally concerned regarding the temporal welfare of those dearer to them than life. Yet they have been wonderfully preserved, our deceased brother being the first to fall a martyr, within the walls of a prison, to what we hold to be a mistaken and far from merciful policy on the part of the government.

The scoffer will probably turn up the lip at the mere mention of martyrdom in connection with a case like this. It should be remembered, however, that martyrs are not made because of their closely conforming to popular views and opinions. That the deceased was honest in his religious convictions no one has a right to deny; if the element of honesty cannot be consistently denied, then his incarceration was in consequence of his adherence to his genuine conception of right. This being the case he was a martyr for the truth as he understood it. No man can be a martyr on any other basis.

Those who class such men as Elder Johnson among common or ordinary law-breakers are only fit to be ranked among fools. Those who stand by "a light that lighteth every man that cometh into the world" are not ordinary men in any sense. The usual run of humanity take the easiest available method of getting out of trouble when it confronts them. The smaller class consider the principle involved, stand upon that and trust in God for the outcome. Such men as our departed brother are honest in every sense, being good neighbors, respecting the property and other rights of their fellow-beings, peaceable and reputable, one of their greatest hardships in connection with imprisonment being that they are thrust in voluntarily into the society of those who are held in durance because of their not possessing that sterling morality for which they are conspicuous.

There is something exceedingly pathetic in the demise of Brother Johnson in prison. His wife and some other members of his family had been summoned to his bedside, but the good lady, probably owing to the deep distress caused by the circumstances, was taken ill and was compelled on that account to retire. He leaves a large family; many of the children are of tender age. Only one son was by the side of the couch upon which Brother Johnson lay when the final summons came and the faithful spirit took his flight to the realms of light, where no such condition exists as casting intelligent beings into prison because of an honest adherence to honest conviction.

We learn that the family of the deceased, as might naturally be expected, have been thrown into the deepest grief, and are at present almost inconsolable. This is scarcely to be wondered at, when the circumstances of the sad case are considered. It will be the sincere desire and prayer of every Latter-day Saint that peace may rest upon them, and that they may feel consoled in the reflection that their husband and father left this vale of tears treading the path of duty and honest conviction, which is the highest phase of human action. Upon this basis they may rest assured that he will not fall short of a reception of his eternal reward.

DEATH OF ROBERT HUNTINGTON.

We learn from the Omaha Bee of the death, a few days ago, in that city, of Brother Robert Huntington, who is, by that paper, spoken of as one of the oldest and best known residents of that part of the country. For about a year, until a week or two since, he and his wife resided in this Territory, having identified himself with the Church. He returned to Nebraska to transact some business, attention to which was imperative, but he fully intended to return to Utah and end his days among the Latter-day Saints. In bidding him adieu we donated his being permitted to carry out this intention, as he appeared to be in the last stages of a lung affection.

Many of the Elders who labored in England previous to 1850 will remember him. He was, in the town of Leeds, the proprietor of the hall in which the Saints then held meetings, and was brother to Sister Eastham (familiarily known as Mother Eastham) now of Grantsville, who kept the conference house in Leeds for many years. Brother Huntington having been a man respected for his honesty, and as he has many friends in Utah, we append the following from a late issue of the Bee:

"He was born in Lancashire in July, 1821, and remained in England until 1856. He was married in 1840 to Miss Anne Deardon, by whom he had nine children, three sons and six daughters. Three of these are now living and all residents of this city. The others all died in the mother country.

In 1864 his wife died and in 1866, just prior to his departure for this country, he was again married to Miss Mary

Bywater. This lady bore him no children and still survives him.

Before coming to America Mr. Huntington was engaged in the furniture business in Leeds, and accumulated quite a competence. When starting for this country it was his intention to go to Salt Lake, being strongly inclined to the faith of the Latter-day Saints. His mother was the second woman baptized into that faith, being confined to her bed for thirteen years, and setting up from it to walk to be baptized.

On arriving here Mr. Huntington stopped to visit a brother who was clerking for I. W. Swan, and was induced to remain here. He purchased 320 acres of land in James township and followed the occupation of farmer until 1881, when he came to this city and engaged in the grocery business in which he remained until two years ago, when continued failing health compelled him to make a change, and he sold out to E. B. Gardner.

Since that time he has resided at 104 Broadway, with the exception of the past few months when he was in Utah, having returned from there but ten days before his death. The deceased built the first frame house in James township, and also the first house on Graham Avenue in this city. He bought a tract of fourteen acres on that street several years ago and donated to the city the right of way through it to the park. He was a prominent democrat in politics, and was for several years a justice of the peace in James township, and was for some time one of the trustees of Kane township, his last term expiring the first of the present year. During the last two years of his life he gave his attention almost wholly to religious matters, his late trip to Utah being on that account. His death was rather unexpected, as he appeared to be no worse than for several months past. The immediate cause of his death was coagulation of the lungs. The funeral will take place tomorrow afternoon at 2:30 o'clock from his late residence, and will be conducted in accordance with the belief of the Church of Jesus Christ of Latter-day Saints, of which he was an earnest member. The three children of the deceased living here are Robert J. Huntington, Mrs. S. B. James and Mrs. F. S. Halliday."

THE TIMES.

PROBABLY at no time in the history of the Church have the Latter-day Saints been placed in a situation so complicated as now. They are beset on every hand with temptations to depart from the spirit of the Gospel. The times are therefore in that regard perilous, but the righteous will "stand in holy places" and not be moved. He who keeps in accord with the Spirit of Truth stands in a holy place. He who gradually extinguishes the light of that influence which should be his director, is moved about by every sensational and passing breeze that blows.

There are no times so smooth that the people are not placed in a position to elect between a course of action contrary to or in accord with correct principle. Just now, however, circumstances of great strength are being thrust in front of them and decisions involving apparent personal sacrifice or advantage have to be made up and operated on. In nearly all steps that are taken these two conflicting constituents are presented. The individual is therefore left to decide the question from that standpoint. In the contemplation of the advisability of any course of action the elements to be considered are: (1) Will this contribute to my immediate wealth, power, comfort and convenience? (2) Will it contribute to the general welfare, is it just, is it consistent? If the latter be negatived, then a step in harmony with an affirmative in favor of the former must be wrong in principle and he who takes it imagines he is eating bread when he is simply swallowing stones. He acts purely and simply in accordance with the spirit of the world and in opposition to the spirit of the Gospel.

When a man is confronted by a temptation to take a step involving a question of justice or rightfulness, it will be profitable for him to consider before acting, if he be tempted to depart from the straight line of correct principle, what the moral, proprietary and spiritual status of the entire community would be providing every member of it were to act similarly. If he is honest enough with himself to admit that it would be at a low ebb, then, so far as his action is concerned, the entire community is placed at a disadvantage and has become demoralized. It is difficult to understand how any intelligent person can escape being forced to admit that this is true philosophy. If this is sound, the individual, in order to bring to himself a merely apparent, but really transitory and illusive advantage, perpetrates a wrong upon the community of which he is a member, and to that extent is its enemy. Nor does the evil it be one, cease with his individual action, as he vitiates popular morality—speaking of morality in its broad sense—by his example. He is imitated by others, and thus he begets in his fellows his own likeness.

There are some who go so far in their worship of Mammon, in preference to a strict allegiance to the God of justice and truth, that they are not slow to place more scrupulous members of the community among the foolish. In

this they are right from one standpoint—the worldly one. But from the Gospel point of view that esteemed foolish class are those who will be the instruments of causing the wisdom of the wise to perish and the understanding of the prudent to be hid. That will be when a man with a conscience will be held at a premium, and not to some extent at a discount.

It may be said of a person, "This man is not of much account; he cannot make money. He has no ability in that line." Does it ever occur to those who are thus disposed to tender reproach on that ground that if some of those thus referred to were willing to adopt many of the methods that appear to be particularly popular at this stage of affairs they would have no difficulty in making the highly-prized financial accumulation? It would require, so far as relates to some of the processes, a measure amount of ability and an infinitesimal quantity of conscience. By conscience we mean the Spirit of Truth, which prompts men to act upon just and correct principles rather than to have a single and selfish eye to their own personal advantage.

The philosophy of the Gospel teaches that the results of worldly pursuits perish. They do not sustain the pursuer beyond the edge of the grave. Not so with the support given to those who abide by correct principle. The effects of conformity to truth go beyond the tomb and sustain the possessor of it and actor upon its requirements in eternity. Otherwise there would be no justice. But that principle is eternal. Not only its duration endless, but its claims are equally perpetual. It is intelligently self-acting and claims its own; therefore to escape the rebound of justice in time or eternity when its conditions are impinged is an impossibility. It is an infallible cause that produces an unerring and unchangeable effect. The voice of revelation, through Joseph the Seer, has proclaimed this comforting truth: "All truth is independent in that sphere in which God has placed it, to act for itself, as all intelligence also, otherwise there is no existence;" also, "Justice continueth its course and claimeth its own."

Let every intelligent Saint look around him and see whether there ever was a time when opportunities were more striking or plentiful for each member to manifest the particular spirit that animates him. If light and truth, even the Spirit of Truth, illumine his soul, he will not be in doubt as to the course he should pursue, because he will seek to act upon the principle involved in every step. He will not endeavor by a line of sophistry to excuse himself for a line of action doubtful in the line of righteousness. If this be his course, the truth will increase in him, and the Spirit of Truth will shed such light upon his mind that he will comprehend the situation, whether it involves an understanding of the past, present or future, or all combined, for such is the office of the Spirit of Light which proceedeth from "Him who sitteth upon the throne." Every act which accords with that influence increases its quantity in the mind of the person taking that course. Every step of a contrary character diminishes it, until the individual is devoid of the light and is unable to grasp the truth of a matter when it is presented to him. Then is the revelation fulfilled which says, "the light shineth in darkness and the darkness comprehendeth it not," and "every man whose spirit receiveth not the light is under condemnation."

TENDENCY TO PRODIGALITY.

Any citizen of the Territory who has carefully watched the proceedings of the present session of the Legislature will, on having his attention directed to the fact, readily perceive that members have shown a disposition to depart from the old landmarks of economy and frugality, which have hitherto governed the Assembly. The fiscal policy heretofore pursued by that body has signalized Utah, among all the States and Territories of the Union, as the only one without a public debt, and as having lower taxes than any other.

Perhaps a time has come for a surrender of her pride in having no public debt. Perhaps a juncture of affairs in the history of the Territory has been reached when it is wise and justifiable to issue bonds for the purpose of providing needed public institutions. Perhaps the element of justice which is contained in the argument that posterity should pay a portion of the cost of the public improvements which will be handed down to them, should be permitted to outweigh all objections to the borrowing of money.

If all this be granted, it will only prove what every business man knows to be true—that when he reaches a condition which requires that he should borrow money, it becomes doubly necessary for him to avoid prodigality. But the proposition to bond the Territory, which has already passed the House, seems to have had the opposite effect upon at least some of the members of the Assembly. They show a disposition to be more lavish with public funds than we believe they would be were it not that the Territory is, apparently, about to create a considerable public debt. Their course in this regard, viewed from the standpoint of a shrewd and honest financier,

looking to his own interests, honor, appears anomalous and inconsistent.

Appropriations aggregating a large sum have already been made, practically agreed to by the Assembly, and there exists a pressing need for other appropriations, the amount of which have not been fixed, which will foot up to a considerable sum; and yet propositions to large amounts to a number of schools and enterprises, never before submitted to the Assembly as having a claim upon the public treasury, have reported upon favorably by committees, and are being supported by members. It seems as if "boom talk" some other influence were leading solons into a tendency to prodigality diverse from the safe path hitherto adopted by the Legislature.

Appropriations which are not demanded by public necessities, which will be disbursed by public officers for the general good, of course to be made. There rests upon every member of the Assembly a binding obligation to guard the public treasury with the intelligence, fidelity and sternness of principle which he would desire, want to display, to whom he can confide his own purse. Axes of individuals, corporations or classes should not be permitted to be ground to public expense. No statesman ever be a party to transactions of character.

EXPLANATORY EXCUSE.

In the somewhat feverish condition of affairs existing in this Territory, especially in and adjacent to the some people who take steps that in their own minds, of questionable propriety, are much given to excuses for courses adopted. The generally of a voluntary character coming unsolicited from those tender them. The very fact of explanatory proffers indicates a position in the minds of those by whom are tendered as to the consistency of the position they occupy.

Those who have given any attention to mental philosophy are enabled that study to analyze some of the deeper causes, at least, by which are moved. Thus, when a man engages in transactions regarding which there is not and cannot be doubt, as to their character, but, not, as a rule, feel it to be necessary to take special pains to explain what has acted as he has. Conscience, intrinsic merits of his position, the results of and the improvement made by his course upon that. This is not generally the case with quality of the deed done is a question of serious question in the mind of the performer himself. When the does not clearly justify, self-justification steps in and attempts to cover the deficiency.

One of the commonest excuses offered for conduct that is of question is that the same course has been taken by others who are prone to be patterns of unselfishness. Such explanations or semi-apologies are entitled to no respect. Those resort to them may not be fully of it, but they thus question the judgment and manhood. In making up a decision as to a course of action the basis should not be the deeds of individuals, no matter as to their station or standing, but the right of the proposal? An action formed by man does not change principle involved. If the right has not been acted upon nothing can be the step a proper one, and there cannot be made a correct basis of guidance of others.

If a wrong course has been taken by one man, another will not be justified in acting similarly for that reason. Such could be properly made an action, confusion and wrong would be the result, and men would be about like butterflies by the wind generated by the doings of independent of the principles of justice, the only safe, sure, fail-safe guide to the traveler labyrinth of mortality.

The Latter-day Saints above other people should know that Lord has not erected a human standard, but has set up one of character, to which all human undertakings are to conform. Harmonious action is specially demanded of those who profess to receive the greater light. The language is the word of God, w truth.

A too profuse recourse to excuses reminds one of the words into the mouth of a character by Shakespeare—"Methinks I doth protest too much?"

TOO LAVISH.

YESTERDAY afternoon, in the pending the motion to appropriate \$104,481.20 to the territorial Insular, Speaker Riter made the declaration that the Assembly had ready appropriated more money to the Territory, under the laws of the Territory, had the power to borrow that there remained less than the necessary revenue with which to meet