

## CORRESPONDENCE.

Written for this Paper

## THE PROHIBITION PROPOSITION.

Your morning cotemporary has thus far failed, to refute any position your correspondent has taken on the subject of submitting the question of prohibition to the people of Utah. In consequence of this inability it was driven to the use of personalities and slang. For its sake I regret such a course, which ought never be introduced into the discussion of a subject of public moment.

It concluded one of its articles thus: "Cannot the correspondent bring forth something rational in favor of prohibition?" The correspondent has done this, but he does not claim that he can bring forth anything that that journal will admit to be rational if it be not in harmony with its policy on the subject in point. This may be possible, but the possibility is not apparent.

The writer has shown that prohibition is on the side of the family and of morality; and that it is constitutional. He has also shown that Utah presents the most favorable field in America for its establishment and perpetuation. Such weighty considerations as these cannot be placed outside the pale of rationality or brushed aside by such flip-pant expressions as "ohop logic," whatever that may mean. They constitute reasonable grounds for the basis of a great moral question.

An attempt has been made to show that representatives of the people are not under obligations to conform to the understood desires of their constituents unless the latter have given them specific instructions. It is difficult to see what great difference it would make as to how a representative obtained an understanding of the wishes, on any given subject, of those by whom he was elected so long as he was acquainted with their will. "It is a slothful servant who waiteth to be commanded in all things." The delegates are the servants of the sovereign people.

While on this point I shall take the liberty of quoting from your cotemporary:

"The obligations of legislators and constitution framers to the people who elected them form an open question. There is no settled rule in law or custom on this matter. Some of the very foremost statesmen of this and other countries have taken the position that they were chosen to legislate for the best interests of the nation, according to their own independent judgment. They have claimed the right to vote for measures which their constituents have disapproved."

Having no desire to misrepresent, I herewith also introduce what is intended as a qualifying phrase:

Now, the *Herald* does not say whether they were right or wrong, but merely mentions a well known fact.

There your cotemporary, after telling that the obligations of the "legislatures and constitution framers is an open question" and that some of them have acted in opposition to the wishes of those who elected them, gets on the

ence and says that it merely mentions a well known fact. If the object was merely to mention a fact, the statement could have no logical place in the article. It certainly looks as if mention was made of it that it might have some weight with the delegates to the Constitutional Convention from the "rural districts." It is to be hoped that the fact is not sufficiently ponderous to induce them to act contrary to the understood wishes of their constituents on the subject of submitting to the people the question of prohibition.

How do the people of the "rural districts" and their delegates relish the new doctrine, recently promulgated through the press—that they can have nothing to do with the regulation of affairs in the larger municipalities of the State, which is the unit of government?

One of the morning dailies—not the one heretofore alluded to—went so far as to state the people of Uintah and Iron counties had no more right to say what shall be the status of the liquor question in Salt Lake City than had the people of Colorado. Do the people of the "rural districts" endorse this view? It is more likely that they will insist that each part of the State is interested in every other part of it. Without the "rural districts" Salt Lake would cut a sorry figure and disappear by the dwindling process. The people of the entire State have the right to say what kind of legislation shall prevail over the whole of it.

The admission of your cotemporary of the fact that "in the rural districts a very large majority of the people would favor the prohibition project," has already been treated upon. It also said: "In the larger cities the majority would probably be against it."

That is: A very large majority in the "rural districts" for; a probable majority in the larger cities against.

The majority in the larger cities is only claimed as a probability, and the general results upon this basis would be a tremendous, overwhelming majority for the "prohibition project" in the Territory at large, and that is what is the matter with your two cotemporaries.

But the probable majority "in the larger cities" is an open question. The vote might be close, but it would be liable to be on the side of sobriety, morality, contentment and prosperity, and consequently of prohibition.

The Salt Lake Tribune was kind enough to sound a note of warning in the following words:

"That our prohibition friends may be all loaded when the Convention meets, we beg to tell them that there is no constitutional right of voting; that that is a privilege granted by the sovereign power of the state."

That is all right. In this country, what is the sovereign power? The answer is—the people. That power is fully present in the Convention. The people are there by their duly elected representatives. If there is any intention to convey an idea in the quoted paragraph that the sovereign people have not a right to provide, by delega-

tion or otherwise, for an expression of their will on any subject whatever, there must be a mistake in it. Matters have not reached that point. It is to be hoped they never will.

The same able journal continued its warning thus:

"That further, there is a great difference between voting for an individual for an office, and in voting whether the property of some other individuals shall be sequestered. The one is the exercise of judgment or of partisan preference. The other goes directly to something which, under our form of government, cannot be tampered with by a voter or all of the voters combined, and that is the inviolability of a contract, expressed or implied."

Unfortunately for this announcement the weight of fact and law shows it under. In proof of this the "American and English Encyclopedia of Law" is here cited. That standard legal work says:

"Prohibitory liquor laws are constitutional, notwithstanding their effect is to repeal or impair charter rights or annul previous contract obligations."

In support of this authoritative declaration nine decisions, the first of which is *Beer Co. vs. Mass.*, 97 U. S., 25, are cited. JOHN NICHOLSON.

## THE MEXICAN MISSION.

COLONIA PACHECO, Chihuahua, Mexico, February 27, 1895.

We are called upon to chronicle the death of another worthy veteran, Elder Andrew Madsen Johnson, which occurred at his home here on Sunday, February 17th, 1895, at 3:45 p. m. He had been ailing but about a week and his death was therefore quite sudden for a man of his physical vitality, for he was one who had known very little sickness and though in his 72nd year, he was hearty and strong. He was born May 11th, 1823, in Norway; was baptized by Elder Sven Larsen in 1855; emigrated to America in 1858; stayed in the states eleven years and came to Utah in 1869 with his wife and five children, and settled in Mount Pleasant, Sanpete county, where he resided three years, then he removed to Richfield, Sevier county, residing there nine years; and then to Joseph City, in the same county, staying there three years; from the latter place he removed to Mancos, state of Colorado, where he lived two years and then moved to Mexico and located at Colonia Pacheco in 1889. During his five years' residence here he established himself in the hearts of the brethren and sisters. He was pre-eminently a man of peace, no doubt the effect of the Gospel, for in his early life he was associated with the roughest men and element, having followed a seafaring life for many years. He was a faithful member of the High Priests' quorum. An aged widow, five children and twenty-eight grandchildren survive him. The speakers at the funeral services, which were held at the meeting house on Monday, the 18th, at 2 p. m., were Bishop Jesse N. Smith Jr., Elders Henry Lunt, Franklin Spencer and O. B. Cooley.

I am pained to report just here another death, the eight-year old daughter of Elder Jens Jensen, ex-Bishop of