

were born in the covenant and are heirs to the priesthood, that we are necessary to the carrying on of the work of God. We are necessary so far as we will be used in the proper manner and conduct ourselves aright; but when we do not we will be cast off, and if it is necessary the Lord will raise up from the nations of the earth a generation that will serve Him. With boys and girls growing up with these habits what do you think will be the result in after years? It will be their destruction, both body and soul. There is a fairy tale that I have heard related about the effect of habit. There was a prince seated at his table, who was quite a glutton. He had before him a large bowl of wine, and there fluttered into the window a beautiful fly that perched on the edge of the bowl and began sipping the wine. The attendants of the prince were about to kill it. He said, "No, see its beautiful wings." So they let it sip until it flew away. The next day it came as a butterfly, perched again on the bowl, and drank a little more. He said, "Don't kill it, it is so beautiful." The third day it came back as a bat. It flew in the window and drank all the wine. Then the prince said that it must be killed; but before the attendants could do it, it flew out of the window. Then he commanded them to close the windows and put up the shutters. The fourth day it came as a hawk. It flew through the window, crashing the glass, and devoured all that was on the table. The prince was alarmed, and he commanded that the iron bars be placed in front of the windows. The fifth day it came as a vulture. It tore the iron bars asunder, brushed aside every obstruction and flew in and devoured all that was on the table, and slew the prince himself. It is a fairy tale, but it illustrates the power, of habit. Let children grow up with the habits of idleness, disobedience and disrespect. They may do things that today may please us. Their cute sayings, their disobedience and their folly may amuse us for the time, because they are so strange; but in a few years it will be the "vulture" that will destroy both them and their parents.

As the Chinese punishment was visited upon the kindred and upon the vicinity in which the culprits lived, so are the sins of the children visited upon their parents and upon the ward in which they live. When a child sins, almost the first question is, who is its father? or who is its mother? where does it live? They speak of such and such a crime having been committed in the United States. The effects of our actions, whether they be good or evil, are not confined to ourselves. If they were, we might snap our fingers at the results, because they would be visited only upon those who committed them; but if they are visited upon ourselves and our children, and upon our kindred and friends, and upon the church and the nation in which we live, then it is time for something to be done to stop these evil deeds, so that reproach may not come upon us all. If men and women have no regard for themselves and for their future, they should at least be compelled to have respect for the reputation and the character of the people among whom they live. It is for this reason that laws are enacted by the nations of the earth, and though laws are frequently mal-administered, and we do not have righteous men at the head of nations, yet the laws are there for the

good of the people. It would be a happy day for any people or any nation that could be in the condition of which Joseph Smith spoke. When Josiah Quincy asked him how he governed the people, he said, "I teach them correct principles, and they govern themselves." That is the condition into which these Latter-day Saints should come, so that they would not be hampered by written ordinances and laws; but that they should have the law of God so perfectly written in their hearts and burning within them that they should know the law without being continually admonished to yield obedience to it. If we will do this, there is nothing that stands in the way of the progress of this people. Today we are honored in the nation; but the honor which will be conferred upon us will only be limited by the extremities of this earth on which we live. This people will become a great people, whether we as individuals cling to the faith or not. This Zion of God will become renowned, and a great and mighty power in the earth—a power that will be respected and honored and loved of all nations upon the face of the earth. God grant that every one of us may be with it at that happy day. Amen.

#### REPORT FROM C. O. WHITEMORE.

The following report was submitted at this Friday afternoon session of the county court by Mr. C. O. Whittemore, the newly-elected county attorney. It will doubtless be read with considerable interest, containing as it does some new and striking features:

To the Hon. the County Court of Salt Lake County, Utah:

Gentlemen:—In accordance with your request I have examined into the financial condition of this county as shown by the annual statements of the county treasurer and county clerk for the years 1892, 1893 and 1894, with a view of ascertaining the existing indebtedness of the county. I have also examined the statutes of Congress and of this Territory relative to the subject, with the view of ascertaining whether such indebtedness is in excess of the limit prescribed by law, in order to determine as to the power of this court to incur further liabilities, and beg leave to submit herewith the result of such investigation.

Section 4 of an act of Congress approved July 30, 1886, provides that no county shall ever become indebted to any manner or for any purpose to any amount in the aggregate, including existing indebtedness, exceeding four per centum on the value of the taxable property within such county, to be ascertained by the last assessment for territorial and county taxes previous to the incurring of such indebtedness; and all bonds or obligations in excess of such amount given by such corporation shall be void. Vol. 1, Compiled Laws of Utah, 1888, p. 95.

This section while it fixes the limit within which the indebtedness of the county must be confined, does not confer upon the county any power whatever to incur liabilities to the extent of that limit, the granting of such power being left to the Territorial Legislature. The question next to be determined is, what powers have been conferred by the Legislature upon the counties of

this Territory to create liabilities and incur indebtedness.

Section 173, Compiled Laws of Utah, 1888, p. 295, provides that no county shall incur any indebtedness or liability in any manner, or for any purposes, to an amount exceeding in any year the total amount of its income and revenue for the two fiscal years immediately preceding the incurring of such indebtedness. And that any indebtedness or liability contrary to this provision shall be void.

Section 174, following, provides: That all contracts, authorizations, allowances, payments, and liabilities to pay, made or attempted to be made, in violation of this act, shall be absolutely void, and shall never be the foundation of a claim against such county.

Section 175, following, provides: That any probate judge or selectman or any other officer who knowingly authorizes, or aids to authorize, or audits or allows any claim or demand upon or against the county, or any fund thereof, in violation of the provisions of this act, shall be liable in person and upon their several official bonds, to any person damaged by such illegal authorization, to the extent of his loss.

Section 195, following, provides: That the court must not, for any purpose, contract debts or liabilities, except in pursuance of law, nor shall such indebtedness or liability, in any manner or for any purpose, exceed in any fiscal year the income and revenue of such county for the fiscal years immediately preceding the incurring of such indebtedness.

The foregoing sections are ambiguous, and open to two constructions: one that the county may in such year create liabilities, exclusive of existing indebtedness, to an amount not exceeding the total income and revenue of the county for the two fiscal years immediately preceding the incurring of such liabilities, and the other, that the liabilities of a county, including existing indebtedness, cannot exceed in any fiscal year the income and revenue of such county for the two fiscal years immediately preceding.

The latter is, in my opinion, the more rational construction and is more in conformity with the intent of the legislature. This view of the law is strengthened by the later provisions of the legislature as found in "An act authorizing counties to issue bonds for the purpose of funding outstanding indebtedness, approved March 10, 1892, which provides as follows: That whenever it shall be necessary to construct, add to, complete or repair the court house, jail or other county buildings or purchase ground therefor, or make other county improvements, or whenever it may be desirable to fund or average any existing debt incurred for county purposes, and the revenue afforded by a reasonable taxation are considered insufficient to do the same, the county court may issue negotiable coupon bonds in any sum of money not exceeding one per cent of the taxable property within such county, to be ascertained by the last assessment for territorial and county taxes. Said act provides further the denomination of the bonds, the amount of interest they shall bear, and that the county court may submit the question of bonding to